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JOURNAL

OF

THE SENATE

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA,

AT ITS

SESSION OF 1865-'66.

RALEIGH:
WM. E. PELL, PRINTER TO THE STATE.
1865.

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SENATE JOURNAL, 1865–'66.

At a General Assembly of the State of North-Carolina, begun and held in the city of Raleigh, on Monday, the twenty-seventh day of November, *Anno Domini*, one thousand eight hundred and sixty-five, and in the ninetieth year of the Independence of the United States of America, being the day appointed by law for the meeting of the General Assembly, the following Senators were present, and exhibited their credentials, and were qualified, as follows:

1st District, Pasquotank and Perquimans—Tim. Morgan.
2d " Camden and Currituck—D. D. Ferebee.
3d " Gates and Chowan—Mills L. Eure.
4th " Tyrrell and Hyde—Charles McCleese.
5th " Northampton—R. H. Garner.
6th " Hertford—R. G. Cowper.
7th " Bertie—John Pool.
8th " Martin and Washington—Charles Latham.
9th " Halifax—M. L. Wiggins.
10th " Edgecombe and Wilson—George Howard.
11th " Pitt—E. J. Blount.
12th " Beaufort—E. J. Warren.
13th " Craven—J. D. Whitford.
14th " Carteret and Jones—M. F. Arendell.
15th " Greene and Lenoir—J. H. Coward.
17th " Duplin—J. D. Stanford.
18th " Onslow—I. N. Sanders.
19th " Bladen, Brunswick and Columbus—A. J. Jones.

20th District, Cumberland and Harnett—A. D. McLean.
21st " Sampson—Thos. I. Faison.
23d " Johnston—T. D. Snead.
24th " Wake—W. D. Jones.
25th " Nash—H. G. Williams.
26th " Franklin—Washington Harris.
27th " Warren—T. J. Pitchford.
28th " Granville—B. F. Bullock.
29th " Person—C. S. Winstead.
31st " Alamance and Randolph—Thomas Black.
32d " Chatham—L. W. Gorrell.
33d " Moore and Montgomery—D. A. Boyd.
34th " Richmond and Robeson—Giles Leitch.
35th " Anson and Union—D. A. Covington.
36th " Guilford—J. T. Morehead.
37th " Caswell—T. A. Donaho.
38th " Rockingham—Thomas Settle.
39th " Mecklenburg—J. H. Wilson.
40th " Stanly and Cabarrus—J. E. McEachern.
41st " Rowan and Davie—F. E. Shober.
42d " Davidson—J. M. Leach.
43d " Stokes and Forsythe—J. Boner.
44th " Ashe, Surry, Watauga and Yadkin—A. C. Cowles.
45th " Wilkes, Iredell and Alexander—A. M. Bogle.
48th " Polk, Rutherford and Cleaveland—C. L. Harris.
49th " Buncombe, Henderson, Madison, Transylvania, Yancey and Mitchell—L. S. Gash.
50th " Haywood, Macon, Cherokee, Jackson and Clay—Joseph Keener.

W. A. Graham, the Senator elect from the County of Orange, (being the 30th Senatorial District,) in presenting his certificate of election as Senator therefrom, said he deemed it his duty to make known to the Senators present,

that there was an impediment to his qualification, without the removal of which, he should not offer to participate in the proceedings of the Senate. He had applied to the President of the United States, for special pardon under his proclamation of the 29th of May last. Pending the application and except in the event of favorable action in the premises, he should not propose to occupy the seat to which he had been elected.

A quorum, consisting of a majority of the whole number of Senators being present, on motion of Mr. Wiggins, Thos. I. Faison, the Senator from the County of Sampson, acting as Clerk, the Senate proceeded to vote, *viva voce*, for Speaker.

Mr. Whitford placed in nomination, D. D. Ferebee, the Senator from Camden and Currituck.

Mr. Leach of Davidson added the name of Hon. Thomas Settle, the Senator from Rockingham.

The following named Senators voted for THOMAS SETTLE, viz:

Messrs. Arendell, Black, Blount, Bogle, Boner, Boyd, Bullock, Covington, Coward, Cowles, Garner, Gash, Gorrell, Harris of Rutherford, Jones of Columbus, Jones of Wake, Leach of Davidson, Morgan, Pool, Snead, Warren, and Winstead.—22.

The following Senators voted for D. D. FEREBEE, viz:

Messrs. Cowper, Donaho, Eure, Faison, Harris of Franklin, Howard, Keener, Latham, Leitch of Robeson, McCleese, McEachern, McLean, Morehead, Pitchford, Sanders, Shober, Stanford, Whitford, Wiggins Williams and Wilson.—21.

Mr. Ferebee voted for J. D. Whitford.

The Committee reported that no one having received a majority of all the votes, there was no election.

The Senate, upon motion of Mr. Bogle, proceeded to vote again for Speaker, with result as follows:

The following named Senators voted for Mr. SETTLE, viz:

Messrs. Arendell, Black, Blount, Bogle Boner, Boyd,

Bullock, Covington, Coward, Cowles, Garner, Gash, Gorrell, Harris of Rutherford, Jones of Columbus, Jones of Wake, Leach of Davidson, Morgan, Pool, Snead, Warren and Winstead—22.

The following Senators voted for D. D. FEREBEE, viz:

Messrs. Cowper, Donaho, Eure, Faison, Harris of Franklin, Howard, Keener, Latham, Leitch of Robeson, McCleese, McEachern, McLean, Morehead, Pitchford, Sanders, Shober, Stanford, Whitford, Wiggins, Williams and Wilson.—21.

Mr. Ferebee voted for Mr. Whitford.

The Committee reported that no one had received a majority of the votes.

Upon motion of Mr. Leitch of Robeson, the Senate adjourned until to-morrow at 10 o'clock.

TUESDAY, NOVEMBER 28TH, 1865.

The Senate was called to order by Mr. Wiggins, the Senator from Halifax County.

On motion of Mr. Morehead the roll was called. Several Senators being absent, Mr. Leach of Davidson moved that the Senate take a recess of half an hour, which was concurred in.

At the expiration of the recess, the Senate was again called to order by Mr. Wiggins, and an election was had for Speaker, under the superintendence of Messrs. Pitchford, Winstead and Leitch of Robeson, which resulted as follows:

Messrs. Arendell, Black, Blount, Bogle, Boner, Boyd,

The following named Senators voted for Mr. SETTLE, viz: Bullock, Covington, Cowles, Coward, Garner, Gash, Gorrell, Harris of Rutherford, Jones of Columbus, Jones of Wake, Leach of Davidson, Morgan, Pool, Snead, Warren, and Winstead.—22.

The following Senators voted for Mr. FEREBEE, viz:

Messrs. Cowper, Eure, Faison, Harris of Franklin, Howard, Keener, Latham, Leitch of Robeson, McCleese, McEachern, McLean, Morehead, Pitchford, Sanders, Shober, Stanford, Whitford, Wiggins, Williams and Wilson.—20.

Mr. Ferebee voted for Mr. Whitford.

The Committee reported to the Senate that forty-three votes had been cast, and Hon. Thomas Settle having received a majority of them was duly elected Speaker of the Senate.

The Speaker was conducted to the chair by Messrs. Whitford and Leach of Davidson.

On motion of Mr. Shober,

The Senate then proceeded to vote *viva voce*, for Principal Clerk.

Mr. Shober nominated Joseph A. Engelhard, of Edgecombe.

Mr. Winstead nominated J. W. Alspaugh, of Forsythe.

Messrs. Morehead and Cowles were appointed to superintend the election, which resulted as follows:

The following named Senators voted for Mr. ENGELHARD, viz:

Messrs. Arendell, Bullock, Covington, Cowper, Donaho, Eure, Faison, Ferebee, Garner, Harris of Franklin, Howard, Latham, Leitch of Robeson, McCleese, McEachern, McLean, Morehead, Pitchford, Sanders, Shober, Stanford, Whitford, Wiggins, Williams, Wilson—25.

The following Senators voted for Mr. ALSPAUGH, viz:

Messrs. Speaker, Black, Blount, Bogle, Boyd, Coward, Cowles, Gash, Gorrell, Jones of Columbus, Jones of Wake, Keener, Leach of Davidson, Morgan, Pool, Snead, Warren, Winstead—18.

Mr. Harris, of Rutherford, voted for C. H. Brogden.

The Committee reported that forty-four votes had been recorded, and that Mr. Englehard had received a majority

of the whole number given in, who was announced by the Speaker as duly elected Pprincipal Clerk of the Senate.

On motion of Mr. Morgan,

The Senate proceeded to the election of Assistant Clerk.

Mr. Morgan placed in nomination the name of Mr. J. W. Albertson, of Perquimans.

Mr. Howard placed in nomination the name of Mr. H. W. Husted, of Wake.

Mr. Jones, of Wake, placed in nomination the name of Mr. W. Whitaker, of Wake.

Messrs. Morehead and Cowles were appointed to superintend the election, with result as follows:

The following named Senators voted for Mr. ALBERTSON, viz:

Messrs. Speaker, Arendell, Bogle, Boner, Boyd, Bullock, Cowles, Eure, Garner, Gorrell, Harris of Rutherford, Leach of Da idson, Morgan, Pool, Sanders, Snead, Warren, Williams, Winstead—19.

The following Senators voted for Mr. HUSTED, viz:

Messrs. Covington, Cowper, Faison, Gash, Howard, Keener, Latham, Leitch of Robeson, McCleese, McLean, Morehead, Pitchford, Shober, Stanford, Whitford, Wiggins, Wilson—17.

The following Senators voted for Mr. WHITAKER, viz:

Messrs. Blount, Coward, Donaho, Harris of Franklin, Jones of Wake, McEachern—6.

There being no election, the Senate proceeded again to vote for Assistant Clerk, Mr. Jones of Wake, having withdrawn the name of Mr. Whitaker.

The following named Senators voted for Mr. ALBERTSON, viz:

Messrs. Speaker, Arendell, Black, Blount, Bogle, Boner, Boyd, Bullock, Coward, Cowles, Donaho, Eure, Garner, Gorrell, Harris of Rutherford, Jones of Columbus, Jones of

Wake, Leach of Davidson, Morgan, Pool, Snead, Warren, Williams, Winstead—24.

The following Senators voted for Mr. HUSTED, viz:

Messrs. Covington, Cowper, Faison, Ferebee, Gash, Harris of Franklin, Howard, Keener, Latham, Leitch of Robeson, McCleese, McEachern, McLean, Morehead, Pitchford, Sanders, Shober, Stanford, Whitford, Wiggins, Wilson—21.

J. W. Albertson having received a majority of the whole number of votes given in, was declared duly elected Assistant Clerk.

The Senate proceeded to vote for Principal Doorkeeper.

Mr. Wiggins placed in nomination Mr. James Page, of Randolph, when

On motion of Mr. Leach of Davidson,

Mr. Page was appointed unanimously.

On motion of Mr. McCleese,

The Senate proceeded to vote for Assistant Doorkeeper, with result as follows, viz:

The following Senators voted for Mr. C. C. TALLY, of Chatham, viz:

Messrs. Speaker, Arendell, Black, Blount, Bogle, Boner, Boyd, Bullock, Covington, Coward, Cowles, Cowper, Donaho, Lure, Faison, Ferebee, Garner, Harris of Franklin, Howard, Jones of Columbus, Keener, Latham, Leach of Davidson, Leitch of Robeson, McCleese, McEchern, McLean, Morehead, Morgan, Pitchford, Pool, Sanders, Shober, Warren, Whitford, Wiggins, Wilson and Winstead.—38.

The following named Senators voted for Mr. MARK M. WILLIAMS, of Wake, viz:

Messrs. Harris of Rutherford, Jones of Wake and Snead.—3.

The following Senators voted for Mr. R. H. FORLOW, of Duplin, viz:

Messrs. Stanford and Williams.—2.

Mr. Gash voted for Mr. Patrick McGowan, of Wake.

Mr. Tally having received a majority of the votes given, was declared duly elected.

On motion of Mr. Shober,

Ordered, That a message be sent to the House of Commons, informing that body that the Senate has been duly organized by the election of the Hon. Thomas Settle, Speaker; Joseph A. Engelhard, Principal Clerk; John W. Albertson, Assistant Clerk; James Page, Doorkeeper, and C. C. Tally, Assistant Doorkeer, and is now ready to proceed to business.

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

WEDNESDAY, November 29th, 1865.

The following Senators appeared, filed their credentials, and being sworn, took their seats:

16th District, New Hanover,—E. D. Hall.

22nd " Wayne—Benj. Aycock.

47th " Lincoln, Gaston and Catawba—W. P. Bynum.

The House of Commons informed the Senate, by message, that it had been organized by the election of S. F. Phillips, Speaker; Seaton Gales, Principal Clerk; W. M. Hardy, Assistant Clerk; H. B. Kingsbury, Principal Doorkeeper, and John Hill, Assistant Doorkeeper.

On motion of Mr. Morehead,

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

Mr. Wiggins placed in nomination the name of Wm. E. Pell.

Mr. Jones of Wake, added to the nomination the name of Joseph W. Holden.

The message being sent, the House of Commons afterwards concurred, and so informed the Senate, when the Speaker appointed Messrs. Harris of Franklin and Bullock to superintend the election,—Messrs. Luke and Ferrell being appointed on the part of the House.

An election for Public Printer was then held, which resulted as follows:

The following Senators voted for Mr. PELL, viz:

Messrs. Aycock, Boner, Bullock, Covington, Cowper, Eure, Faison, Ferebee, Hall, Harris of Franklin, Howard, Keener, Latham, Leitch of Robeson, McCleese, McEachern, McLean, Morehead, Sanders, Shober, Stanford, Whitford, Wiggins, Williams, Wilson—25.

The following Senators voted for Mr. HOLDEN, viz:

Messrs. Speaker, Arendell, Black, Bogle, Boyd, Bynum, Coward, Cowles, Donaho, Garner, Gash, Gorrell, Harris of Rutherford, Jones of Columbus, Jones of Wake, Leach of Davidson, Morgan, Pool, Snead, Warren, Winstead—21.

On motion of Mr. Leitch, of Robeson,

Ordered, That a message be sent to the House of Commons proposing to raise a joint select committee of two on the part of each House, to wait on his Excellency, the Governor, and inform him of the due organization of both branches of the General Assembly, and of their readiness to receive any communication he may have to make to them.

On motion of Mr. Ferebee,

Ordered, That a committee of three be appointed by the Speaker to prepare Rules of Order for the Government of the Senate, and that meanwhile the Rules of the last session be continued.

A message was received from the House of Commons proposing to proceed at once to the election of three Engrossing Clerks, and informing this body that the names of the following gentlemen were in nomination: For Principal Engrossing Clerk, E. B. Freeman, of Wake; for Assistant

Engrossing Clerks, John A. Hampton, of Yadkin; Bennett Barnes, of Wilson; Charles M. Busbee, of Wake; Erasmus Page, of Wake; M. J. McSween, of Richmond, and James A. Moore, of Wake.

On motion of Mr. Howard,

Ordered, That the message be laid on the table until the Senate heard what disposition was made of the proposition to go into the election of Public Printer, already sent to the House of Commons.

A message was received from the House of Commons, concurring in the proposition to appoint a committee of two from each House to wait on his Excellency, the Governor, and that Messrs. Wheeler and Page constitute the committee on the part of the House.

On motion of Mr. Covington,

Resolved, That a committee of three be appointed by the Speaker to wait upon Lieut. General Grant, now in this City, and invite him at such time as may suit his convenience, to visit the Senate Chamber, and allow the members of the body an opportunity to pay their respects to him.

The Speaker announced the Senate branch of the joint committee to wait on the Governor, viz: Messrs Leitch of Robeson and Harris of Rutherford.

The committee to wait on General Grant was announced as follows: Messrs. Covington, Warren and Euro.

The proposition of the House of Commons to proceed to the election of three Engrossing Clerks, was now concurred in, of which they were informed by message. The name of John Boner, of Forsythe, having been added to the nominations by Mr. Warren, Messrs. Garner and Donaho were appointed to superintend the election.

The following named Senators voted for Mr. FREEMAN, viz:

Messrs. Speaker, Arendell, Aycock, Black, Blount, Bogle, Boner, Boyd, Bullock, Bynum, Covington, Coward, Cowles, Cowper, Donaho, Eure, Faison, Ferebee, Garner, Gash,

Gorrell, Hall, Harris of Franklin, Harris of Rutherford, Howard, Jones of Columbus, Jones of Wake, Keener, Latham, Leitch of Robeson, McCleese, McEachern, McLean, Morehead, Morgan, Pitchford, Pool, Sanders, Shober, Snead, Stanford, Warren, Whitford, Wiggins, Williams, Wilson, Winstead—47.

The following Senators voted for Mr. HAMPTON, viz:

Messrs. Speaker, Arendell, Aycock, Black, Blount, Bogle, Boner, Boyd, Bullock, Bynum, Covington, Coward, Cowles, Cowper, Donaho, Garner, Gash, Gorrell, Harris of Rutherford, Jones of Columbus, Jones of Wake, Keener, Leach of Davidson, Leitch of Robeson, McCleese, McEachern, Morgan, Pool, Sanders, Snead, Williams, Winstead—32.

The following Senators voted for Mr. MCSWEEN, viz:

Messrs. Boyd, Covington, Cowles, Eure, Faison, Ferebee, Gash, Gorrell, Hall, Latham, Leach of Davidson, Leitch of Robeson, McCleese, McEachern, McLean, Pitchford, Sanders, Stanford, Whitford, Wiggins, Wilson—21.

The following Senators voted for Mr. PAGE, viz:

Messrs. Bullock, Donaho, Eure, Faison, Ferebee, Hall, Harris of Franklin, Howard, Jones of Columbus, Keener, Latham, McLean, Wiggins and Winstead—14.

The following Senators voted for Mr. BONER, viz:

Messrs. Speaker, Boner, Bynum, Garner, Leach of Davidson, Morgan, Pool, Shober and Warren—9.

The following Senators voted for Mr. MOORE, viz:

Messrs. Arendell, Cowper, Harris of Rutherford, Jones of Wake, Morehead, Snead, Warren and Williams—8.

The following Senators voted for Mr. BUSBEE, viz:

Messrs. Blount, Coward, Harris of Franklin, Morehead, Shober, Whitford and Williams—7.

The following Senators voted for Mr. BARNES, viz:

Messrs. Aycock, Black, Bogle, Howard, Pitchford and Stanford—6.

Mr. Covington, from the committee to wait on General Grant, reported that the General was then in the Hall of the House of Commons, and would visit the Senate in a short time.

Mr. Harris of Franklin, from the committee to superintend the election of Public Printer, reported that there had been one hundred and forty-seven votes cast in the same, of which Wm. E. Pell had received eighty-six, and Joseph W. Holden sixty-one; and that Mr. Pell having received a majority of all the votes cast, had been duly elected. The report was concurred in.

Mr. Warren, from the committee to wait on General Grant, appeared with the General, and introduced him to the Speaker. The Speaker welcomed him to the Capitol, and in behalf of the Senate invited him to a seat in the chamber.

On motion of Mr. Warren,

The Senate took a recess of half an hour, for the purpose of allowing Senators to be introduced to General Grant.

At the expiration of the recess, Mr. Leitch of Robeson, from the committee to wait on the Governor, reported that his Excellency would communicate with the General Assembly, in writing, to-morrow at 12 o'clock.

On motion of Mr. Wiggins,

The Senate adjourned until to-morrow morning at 11 o'clock.

THURSDAY, November 30, 1865.

Mr. Garner, from the committee to superintend the election of Engrossing Clerks, made a report as follows:

That the whole number of votes cast was one hundred and sixty-one. Necessary to a choice, eighty-one. Of these, Mr. Freeman received 139; McSween 82; Hampton 77;

Barnes 59; Busbee 46; Moore 41; Page 24, and Boner 14. That Messrs. Freeman and McSween having received a majority of the whole number of votes cast, were duly elected. The report was concurred in.

Mr. McEachern introduced the following resolution:

Resolved, That the Speaker of the Senate invite the Clergy of the different denominations in this City, to open with prayer every day, the deliberations of this body, under such arrangements as they may agree upon among themselves.

The resolution lies over.

On motion of Mr. Latham,

Ordered, That a message be sent to the House of Commons proposing to go forthwith into the election of a third Engrossing Clerk.

Messrs. Latham and Coward were appointed to superintend the election on the part of the Senate.

The following message was recevied from the House of Commons:

HOUSE OF COMMONS, Nov. 30th, 1865.

MR. SPEAKER:—It has been ordered by this House that a message be sent to the Senate proposing to raise a joint select committee of five (5) members on the part of the House and three (3) on the part of the Senate to report joint rules of order for the government of the two Houses during the present session.

The committee on the part of the House consists of Messrs. Waugh, Jenkins of Warren, Henry, Baxter and Wilson.

S. F. PHILLIPS,
Speaker House Commons.

By order: SEATON GALES, *Clerk.*

On motion of Mr. Whitford,

Resolved, That a joint select committee of three (3) from the Senate and five (5) from the House of Commons be ap-

pointed to examine into the present condition and future prospects of all Railroads in North-Carolina, and report as early as practicable.

The House of Commons concurred in the proposition of the Senate to go forthwith into the election for third Engrossing Clerk.

Messrs. Simmons and Lyon constitute the committee on the part of the House.

The names of James A. Moore and John Boner were withdrawn.

The Senate then proceeded to vote for an Engrossing Clerk as follows:

The following Senators voted for Mr. HAMPTON, viz:

Messrs. Speaker, Arendell, Black, Blount, Bogle, Boner, Boyd, Bullock, Bynum, Covington, Coward, Cowles, Cowper, Donaho, Eure, Garner, Gash, Gorrell, Hall, Harris of Franklin, Harris of Rutherford, Jones of Columbus, Jones of Wake, Keener, Latham, Leach of Davidson, Leitch of Robeson, McCleese, McEachern, McLean, Morgan, Pitchford, Pool, Sanders, Shober, Snead, Warren, Wiggins, Williams and Winstead—40.

The following Senators voted for Mr. Busbee, viz: Messrs. Morehead, Whitford and Wilson—3.

The following Senators voted for Mr. Page, viz: Messrs. Faison and Ferebee—2.

The following Senators voted for Mr. Barnes, viz: Messrs. Aycock and Stanford—2.

Mr. Ferebee, from the committee on Rules for the government of the Senate, submitted the following report:

RULES OF ORDER.

Rules of Order for the Government of the Senate.

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

service of prayer, at the opening of the daily sessions of the Senate.

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

3. After the reading of the journal of the preceding day, the Senate shall proceed to business in the following order: 1. The receiving of petitions, memorials, pension certificates, and papers addressed either to the General Assembly or to the Senate; 2. The Reports of Standing Committees; 3. The Reports of Select Committees; 4. Resolutions; 5. Bills; 6. Bills, resolutions, petitions, memorials, messages, pension certificates, and other papers on the table; then, the orders of the day. But motions and messages proposing to elect officers shall always be in order.

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

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

6. If any member, in speaking, or otherwise, transgress the rules of the Senate, the Speaker shall, or any member may, call him to order; in which case, the member so called to order, shall immediately sit down, unless permitted to explain; and the Senate shall, if appealed to, decide on the case, but without debate. If there be no appeal, the decision of the Chair shall be submitted to. If

the decision be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, and the case requires it, he shall be liable to the censure of the Senate.

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

8. Questions may be stated by the Speaker sitting, but shall be put standing. Questions shall be distinctly put in this form: "Senators, as many as are of the opinion that, (as the case may be,) say Aye;" and, after the affirmative voice is expressed, "As many as are of the contrary opinion, say No." If the Speaker doubt as to the voice of the majority, or a division be called for, the Speaker shall call on those in the affirmative of the question, to rise from their seats, and afterwards those in the negative. If the Speaker still doubt, or a count be required, the Speaker shall name two members, one from each side, to tell the number in the affirmative, which being reported, he shall then name two others, one from each side, to tell those in the negative, which being also reported, he shall state the decision to the Senate and announce the decision. No member who was without the bar of the Senate when any question was put from the Chair, shall enter his yea or nay without leave, unless he shall have been absent on some committee; and the row of pillars shall be the bar of the Senate.

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

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

minority, will make the decision equal; and when an equal decision is produced by the Speaker's vote, the question shall be lost.

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

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

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

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

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

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

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

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

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

20. There shall be appointed by the Speaker the following committees, namely:

A Committee of Propositions and Grievances.
A Committee of Privileges and Elections.
A Committee of Claims.
A Committee on the Judiciary.
A Committee on Internal Improvements.
A Committee on Education and the Literary Fund.
A Committee on Banks and Currency.
A Committee on Corporations.
A Committee on Military Affairs, and

A committee on Agriculture, consisting of seven members each.

21. When the Senate resolves itself into a Committee of the Whole, the Speaker shall leave the chair and appoint a Chairman; and when upon any other occasion the Speaker wishes to leave the chair, he shall appoint a Speaker *pro tem.*

22. When a petition, memorial, or other paper addressed to the Senate shall have been referred either to one of the standing or select committees, they shall, in their report on the petition, memorial or other paper, make a statement in writing of the facts embraced in the case referred.

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

24. No person except members of the House of Commons, Officers and Clerks of the two Houses of the General Assembly, Judges of the Supreme and Superior Courts, Officers of the State resident at the seat of government, members of Congress, persons particularly invited by the Speaker, and such gentlemen as have been members of either House of the Legislature, shall be admitted within the hall of the Senate.

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

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

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

28. The rules for the government of the Senate shall not be amended or altered without giving at least one day's

notice of such amendment or alteration, nor without the consent of two-thirds of the members present; but the rules may be suspended temporarily for a special purpose, by the concurrence of two-thirds of the members present.

Mr. Latham, from the committee to superintend the election for Engrossing Clerk, reported as follows: The whole number of votes cast was 158. Necessary for a choice, 79. Of which Mr. Hampton received 101; Mr. Barnes, 50; Mr. Busbee, 4, and Mr. Page 3. Mr. Hampton having received a majority of all the votes cast, was duly elected.

The report was concurred in.

A message was received from the House of Commons, transmitting the following engrossed resolution, in which they ask the concurrence of the Senate, viz:

(H. R. 1,) Resolutions adopting the Constitutional Amendment abolishing slavery within the United States, which was read the first time and placed on the calendar.

On motion of Mr. Warren,

Ordered, That one hundred copies of the Rules of Order be printed for the use of the Senate.

A message was received from the House of Commons transmitting a message from His Excellency, the Governor, and accompanying documents, with a proposition to print five copies for each member of the Senate and House.

The Senate concurred in the proposition.

The Message is as follows:

GOVERNOR'S MESSAGE.

EXECUTIVE DEPARTMENT, N. C.,
Raleigh, November 30, 1865.

Gentlemen of the Senate and of
the House of Commons:

I regret that a severe and painful illness, from which I am still suffering, has prevented me from preparing for your consideration a more full and detailed statement of the condition of public affairs, and of the progress which has been made in restoring North-Carolina to her natural position as a member of the Union, under the Federal Constitution. I am gratified to state, however, that my health is improving, and I hope soon to be in a condition to impart to you at length any information in my possession in relation to public affairs which you may desire.

The progress thus far made in the work of restoration has been attended by a great labor; and I have been very anxious to discharge my duties as Provisional Governor, under the instructions of the President, in such a way as to promote the best interests of the State, and to ensure a restoration of our Constitutional relations to the Federal Government at the earliest practicable period.

We can entertain no hope that confidence and activity in business will be revived, or that our people can even begin to renew their former prosperity until the State shall have been fully restored to her place in the Union. The greatest good of the present and of all coming generations will be embodied in the practical fact that we are once more a part of the freest, proudest and most prosperous government in the world. As long as this fact is unrealized, the State must necessarily languish in all its interests, and instead of availing herself of her great natural advantages

and springing forward in competition with other States in the career of wealth and prosperity, she will become more and more impoverished.

Let us, then, omit nothing which may be deemed necessary, or even expedient, to attain the great end we have in view, to wit, the complete restoration of the State to all its Constitutional relations to the common government. Let the divisions and differences which exist among us, and which are calculated to obstruct the work of restoration, disappear under the influence of a more intense and a more devoted patriotism. He who does any thing now, whether by word or act, calculated or intended to embarrass the national administration, or to obstruct the work of restoration, incurs a grave responsibility, and can be no friend either to the Federal Union or to North-Carolina.

The Convention of the people of this State, recently in session, very wisely ordained,

1st, That the so-called ordinance of secession, adopted the 20th day of May, 1861, "is now, and at all times hath been, null and void," and that "the ordinance of the Convention of the State of North-Carolina, ratified on the 21st day of November, 1789, which adopted and ratified the Constitution of the United States, and also all acts and parts of acts of the General Assembly, ratifying and adopting amendments to the said Constitution, are now, and at all times since the adoption and ratification thereof, have been in full force and effect."

2d. That "slavery and involuntary servitude, otherwise than for crimes, whereof the party shall have been duly convicted, shall be, and is hereby forever prohibited within the State."

3d. That it shall be the duty of the General Assembly to provide for the payment of all debts and obligations created or incurred by the State, otherwise than in aid of the late rebellion. But that "all debts and obligations created or

incurred by the State, in aid of the late rebellion, directly or indirectly, are void, and no General Assembly of this State shall have power to assume or provide for the payment of the same, or any portion thereof."

These are safe and proper steps in the right direction, and such as were expected of the representatives of a loyal people.

But, in order to remove the last obstacle in the way of restoration, it is indispensable that the Legislature shall ratify the amendment to the Constitution of the United States prohibiting the existence of slavery throughout the United States. I herewith transmit to you a communication on this subject, from Hon. William H. Seward, Secretary of State, and also a certified copy of the joint resolution which has passed Congress on the subject, approved February 1st, 1865.

I beg leave, gentlemen, most respectfully and earnestly to urge on you the propriety of ratifying this amendment unanimously, at the earliest practicable moment. It is the wish of our best friend, the President of the United States, that this shall be done. Such ratification cannot fail to hasten our restoration to the Union, and thus lay anew for us and our children the foundations of permanent prosperity and glory.

Under the provisions of an Ordinance passed by the Convention at its late session, I have appointed the Hon. B. F. Moore, the Hon. Richard S. Donnell, and William S. Mason, Esquire, Commissioners to prepare and report to the Legislature a system of laws upon the subject of freedmen, and to designate such laws and parts of laws, now in force, as should be repealed, in order to conform the statutes of the State to the ordinance of the Convention abolishing the institution of slavery.

In conclusion, permit me to assure you, gentlemen, of my readiness and anxiety to co-operate with you cordially

and zealously in every thing which may be calculated to relieve our unfortunate and beloved State from her present depressed and unhappy condition.

With sentiments of high respect, I have the honor to be, &c.,

W. W. HOLDEN,
Provisional Governor.

[DUPLICATE.]

UNITED STATES OF AMERICA.

DEPARTMENT OF STATE.

To all whom these Presents shall come Greeting:

I certify that the annexed is a true copy of a Joint Resolution of Congress, entitled "A Resolution submitting to the Legislatures of the several States a proposition to amend the Constitution of the United States," approved February 1st, 1865; the original of which is on file in this Department.

In testimony whereof, I, WILLIAM H. SEWARD, Secretary of State of the United States, have hereunto subscribed my name and caused the seal of
S. S. the Department of State to be affixed. Done at the City of Washington, this second day of February, A. D., 1865, and of the Independence of the United States of America, the eighty-ninth.

WILLIAM H. SEWARD.

A RESOLUTION SUBMITTING TO THE LEGISLATURES OF THE SEVERAL STATES A PROPOSITION TO AMEND THE CONSTITUTION OF THE UNITED STATES.

Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, (two-thirds of both Houses concurring,) That the following article be proposed to the Legislatures of the several States as an

amendment to the Constitution of the United States, which, when ratified by three-fourths of said Legislatures, shall be valid, to all intents and purposes, as a part of the said Constitution, namely:

ARTICLE XIII.

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

SEC. 2. Congress shall have power to enforce this article by appropriate legislation. [*Approved February* 1, 1865.]

On motion of Mr. Latham,

Ordered, That a message be sent to the House of Commons proposing to go forthwith into the election of three Judges of the Supreme Court.

A message was received from the House of Commons proposing to go into the election for United States Senator, to fill the unexpired term of Hon. T. L. Clingman; also, concurring in the proposition of the Senate to go forthwith into the election of three Judges of the Supreme Court; and that Messrs. Blackmer and Jenkins of Warren, would superintend the election on the part of the House. The Hon. Messrs. R. M. Pearson, M. E. Manly, B. F. Moore, E. G. Reade, Nathaniel Boyden, W. N. H. Smith, W H. Battle and R. R. Heath were in nomination in that House.

The Senate refused to concur in the proposition to go into the election of United States Senator, and so informed the House by message.

Messrs. Latham and Blount were appointed to superintend the election for Supreme Court Judges, on the part of the Senate.

An election for three Judges of the Supreme Court was then held.

The following Senators voted for Hon. R. M. Pearson, viz:

Messrs. Speaker, Arendell, Aycock, Black, B'ount, Bogle, Boner, Boyd, Bullock, Bynum, Coward, Cowles, Donaho, Faison, Ferebee, Garner, Gash, Gorrell, Hall, Harris of Rutherford, Howard, Jones of Columbus, Jones of Wake, Keener, Latham, Leach of Davidson, Leitch of Robeson, McCleese, McEachern, McLean, Morehead, Morgan, Pitchford, Pool, Sanders, Shober, Snead, Warren, Whitford, Wilson and Winstead—41.

The following Senators voted for the Hon. W. H. Battle, viz:

Messrs. Speaker, Arendell, Aycock, Blount, Bogle, Boner, Bynum, Cowper, Donaho, Eure, Faison, Ferebee, Hall, Harris of Franklin, Harris of Rutherford, Howard, Jones of Wake, Keener, Latham, Leach of Davidson, Leitch of Robeson, McEachern, McLean, Morehead, Pitchford, Pool, Sanders, Shober, Snead, Stanford, Whitford, Wiggins and Wilson—33.

The following Senators voted for the Hon. E. G. Reade, viz:

Messrs. Speaker, Black, Blount, Bogle, Boner, Boyd, Bullock, Coward, Cowles, Donaho, Gash, Gorrell, Harris of Rutherford, Jones of Columbus, Jones of Wake, Leach of Davidson, Morgan, Pool, Snead, Warren, Williams and Winstead—22.

The following Senators voted for the Hon. M. E. Manly, viz:

Messrs. Aycock, Bynum, Eure, Faison, Ferebee, Hall, Harris of Franklin, Howard, Jones of Columbus, Keener, Leitch of Robeson, McCleese, McEachern, McLean, Morehead, Pitchford, Sanders, Stanford, Whitford, Williams and Wilson—21.

The following Senators voted for B. F. Moore, Esq., viz:

Messrs. Arendell, Black, Boyd, Bullock, Coward, Cowper,

Garner, Gash, Gorrell, Harris of Franklin, Morgan, Warren, Wiggins, Williams and Winstead—15.

The following Senators voted for Hon. W. N. H. Smith, viz: Messrs. Cowper, Eure, Garner, Latham, McCleese, Stanford and Wiggins—7.

The following Senators voted for Hon. Nathaniel Boyden, viz: Messrs. Cowles and Shober—2.

The Speaker announced the Senate branch of the committee on Railroads, under the resolution of Mr. Whitford, as follows: Messrs. Whitford, Leach of Davidson and Hall.

Also the Senate branch of the committee on Joint Rules, as follows: Messrs. Winstead, Morehead and Arendell.

Whereupon, it being 2 o'clock, the Senate,

On motion of Mr. Ferebee,

Adjourned until to-morrow at 11 o'clock, A. M.

FRIDAY, December, 1st, 1865.

Prayer by the Rev. A. Smedes, D. D.

Mr. Latham, from the committee to superintend the election for three Judges of the Supreme Court, reported as follows

That the whole number of votes cast was 189. Necessary for a choice, 80, of which R. M. Pearson received 133; W. H. Battle, 97; E. G. Reade, 89; M. E. Manly, 68; B. F. Moore, 34; W. N. H. Smith, 32; Nathaniel Boyden, 15; R. R. Heath, 11. That R. M. Pearson, W. H. Battle and E. G. Reade having received a majority of all the votes cast were duly elected. The report was concurred in.

Bills of the following titles were introduced, read the first time, passed and placed on the calendar.

By Mr. Wilson, a bill (S. 2,) to extend the charter of the Bank of the State of North-Carolina.

By Mr. Wilson, a bill (S. 3,) to amend chapter thirty-three of the Revised Code.

The engrossed resolutions (H. R. 1,) adopting the Constitutional Amendment abolishing slavery in the United States, came up on their second reading,

When a message was received from the House of Commons proposing to go forthwith into an election for United States Senator for the term commencing on the 4th of March last and continuing for six years; and that Hon. Wm. A. Graham was in nomination in the House.

And the same being read,

Mr. Wiggins moved that the engrossed resolutions be laid on the table and made the special order for 1 o'clock to-day, and the question thereon was put and

Decided in the affirmative, { Yeas .....25 / Nays 21

On motion of Mr. Leach of Davidson,

The yeas and nays being ordered,

The following voted in the affirmative, viz:

Messrs. Aycock, Bynum, Covington, Coward, Cowper, Eure, Faison, Ferebee, Harris of Franklin, Howard, Keener, Latham, Leitch of Robeson, McCleese, McEachern, McLean, Morehead, Pitchford, Sanders, Shober, Stanford, Whitford, Wiggins, Williams and Wilson.

And the following in the negative; viz:

Messrs. Arendell, Black, Blount, Bogle, Boner, Boyd, Bullock, Cowles, Donaho, Garner, Gash, Gorrell, Harris of Rutherford, Jones of Columbus, Jones of Wake, Leach of Davidson, Morgan, Pool, Snead, Warren and Winstead.

A message was received from the House of Commons, proposing, with the concurrence of the Senate, to have printed for each member of the General Assembly one copy of the Constitution of the United States and of this State, the Rules of Order for the Senate and for the House of Commons, and the Joint Rules of Order of the two Houses.

The Senate concurred in the proposition.

On motion of Mr. Leach, of Davidson,

Ordered, That a message be sent to the House of Commons, proposing to go into an election for two United States Senators, on Monday next, at 12 o'clock, M.

Received a message from the House of Commons, proposing to go immediately into an election for a Judge of the Superior Court for the 1st Judicial District, and that Hon. D. A. Barnes was in nomination.

The Senate concurred.

Messrs. Cowper and Bogle were appointed to superintend the election in the Senate.

Those who voted for Mr. BARNES, are:

Messrs. Speaker, Arendell, Aycock, Black, Blount, Bogle, Boner, Boyd, Bullock, Bynum, Covington, Coward, Cowles, Cowper, Donaho, Eure, Faison, Garner, Gash, Gorrell, Harris of Franklin, Harris of Rutherford, Howard, Jones of Columbus, Jones of Wake, Keener, Leach of Davidson, Leitch of Robeson, McEachern, McLean, Morehead, Morgan, Pitchford, Pool, Sanders, Shober, Snead, Stanford, Warren, Wiggins, Williams, Wilson and Winstead—43.

Mr. Ferebee voted for Hon. R. R. Heath.

Mr. Latham voted for Hon. W. N. H. Smith.

A message was received from the House of Commons concurring in the proposition to go into the election of two United States Senators on Monday next at 12 o'clock, M.

On motion of Mr. Wiggins,

Ordered, That a message be sent to the House of Commons proposing to go forthwith into an election for Secretary of State.

Mr. Wiggins placed in nomination the name of Samuel T. Williams, of Nash.

Mr. Warren placed in nomination the name of Robert W. Best, of Greene.

Mr. Donaho nominated William R. Hill, of Caswell.

Received a message from the House of Commons concurring in the proposition to go forthwith into the election for Secretary of State, and that the name of James H. Foote, of Wake, was in nomination in that House, and that Messrs. Faircloth of Greene and Arrington would superintend the election on the part of the House.

Messrs. Cowles and Donaho were appointed to superintend the election on the part of the Senate.

The following Senators voted for Mr. WILLIAMS, viz:

Messrs. Aycock, Cowper, Eure, Faison, Ferebee, Hall, Harris of Franklin, Howard, Keener, Leitch of Robeson, McCleese, McEachern, McLean, Sanders, Stanford, Whitford, Wiggins, Williams and Wilson—19.

The following Senators voted for Mr. BEST, viz:

Messrs. Speaker, Arendell, Black, Blount, Bynum, Coward, Garner, Gash, Gorrell, Harris of Rutherford, Jones of Columbus, Jones of Wake, Morgan, Snead, Warren—15.

The following Senators voted for Mr. FOOTE, viz:

Messrs. Bogle, Boyd, Bullock, Covington, Cowles, Latham, Leach of Davidson, Pitchford, Pool, Shober—10.

The following Senators voted for Mr. HILL, viz:

Messrs. Donaho, Morehead and Winstead—3.

Mr. Cowper, from the committee to superintend the election for Judge of the 1st Judicial District reported,

That the whole number of votes cast was 158, necessary to a choice 80, of which Hon. D. A. Barnes received 155; Hon. W. N. H. Smith 1; Hon. R. R. Heath 1; and Mills L. Eure 1. Hon. D. A. Barnes having received a majority of the whole number of votes cast, was duly elected.

The report was concurred in.

On motion of Mr. Ferebee,

Ordered, That a message be sent to the House of Commons, proposing to go forthwith into an election for Solicitor for the 1st Judicial District, and that Mr. Mills L. Eure of Gates, was in nomination.

Mr. Cowper placed in nomination the name of Jesse J. Yeates, of Hertford.

Messrs McEachern and Gash were appointed to superintend the election in the Senate.

Mr. Cowles, from the committee to superintend the election for Secretary of State, reported,

That the whole number of votes cast was 157, necessary for a choice 79. Of these Mr. Best received 63; Mr. Williams 57; Mr. Foote 28; Mr. Hill 9. That no one having received a majority of the whole number of votes east, there was no eleetion.

The House of Commons coneurred by message in the proposition of the Senate to go into an election for Solicitor for the 1st Judicial District, and informed that body that Messrs. Cox and Moore of Martin, would superintend the election in the House.

The following Senators voted for Mr. EURE, viz:

Messrs. Aycock, Blount, Bogle, Bynum, Covington, Faison, Ferebee, Hall, Harris of Franklin, Howard, Latham, Leitch of Robeson, McCleese, McEachern, McLean, Morehead, Pitchford, Sanders, Stanford, Whitford, Wiggins, Williams and Wilson—23.

The following Senators voted for Mr. YEATES, viz:

Messrs. Speaker, Arendell, Black, Boner, Boyd, Bullock, Cowles, Cowper, Donaho, Garner, Gash, Gorrell, Harris of Rutherford, Jones of Columbus, Jones of Wake, Keener, Leach of Davidson, Morgan, Pool, Shober, Snead, Warren and Winstead—23.

At 10 o'clock the Speaker announced the special order, viz: Engrossed resolutions (H. R. 1,) adopting the Constitutional Amendment abolishing slavery in the United States.

The resolutions passed their second reading, when

On motion of Mr. Leach of Davidson,

The rules were suspended and the resolutions read a third time and passed.

Ordered to be enrolled.

On motion of Mr. Latham,

Ordered, That a message be sent to the House of Commons proposing to go forthwith into an election for a Judge of the 2d Judicial District.

Mr. Latham placed in nomination the name of the Hon. George Howard.

Mr. Arendell placed in nomination the name of Hon. E. J. Warren.

Messrs. Stanford and Gorrell were appointed to superintend the election on the part of the Senate.

Received a message from the House of Commons proposing to go forthwith into an election for a Judge for the 5th Judicial District, and that Messrs. R. P. Buxton, W. A. Wright and R. S. French were in nomination.

Which being read,

On motion of Mr. Latham,

It was not concurred in, and the House of Commons were so informed by message.

Mr. Gorrell, from the committee to superintend the election for Solicitor for the 1st Judicial District, reported,

That the whole number of votes cast was 153. Necessary for a choice 77, of which Mr. Eure received 82; Mr. Yeates 71. Mr. Eure having received a majority of the whole number of votes cast was duly elected.

The report was concurred in.

A message was received from the House of Commons concurring in the proposition to go into the election for a Judge of the 2d Judicial District, and that Messrs. Hyman and Stilly would superintend the election in the House.

An election was then held for a Judge for the 2d Judicial District, which resulted as follows:

The following Senators voted for Mr. HOWARD, viz:

Messrs. Aycock, Covington, Cowper, Donaho, Eure, Faison, Forebee, Hall, Harris of Franklin, Keener, Latham, Leitch

of Robeson, McCleese, McEachern, McLean, Morehead, Pitchford, Sanders Stanford, Whitford, Wiggins, Williams and Wilson—23.

The following Senators voted for Mr. WARREN, viz:

Messrs. Speaker, Arendell, Black, Blount, Bogle, Boner, Boyd, Bullock, Bynum, Coward, Cowles, Garner, Gash, Gorrell, Harris of Rutherford, Jones of Columbus, Jones of Wake, Leach of Davidson, Morgan, Pool, Shober, Snead and Winstead—23.

On motion of Mr. Blount,

Ordered, That a message be sent to the House of Commons, proposing to go immediately into an election for Solicitor for the 2d Judicial District.

Mr. Blount placed in nomination the name of Mr. W. T. Faircloth, of Wayne.

Mr. Sanders placed in nomination the name of James G. Scott, of Onslow.

Mr. Arendell placed in nomination the name of Mr. John M. Perry, of Carteret.

Mr. Stanford, from the committee to superintend the election for Judge for the 2d Judicial District, reported,

That the whole number of votes cast was 157. Necessary to a choice 79. Of which Mr. Warren received 89; Mr. Howard 68. Mr. Warren having received a majority of all the votes cast was duly elected.

The report was concurred in.

Received a message from the House of Commons proposing to go forthwith into another election for Secretary of State, and that Messrs. Faircloth of Greene, and Arrington would superintend the election in the House.

An election for Secretary of State was then held under the superintendence of Messrs. Cowles and Donaho, the names of Messrs. Foote and Hill having been withdrawn, which resulted as follows:

The following named Senators voted for Mr. WILLIAMS, viz:

Messrs. Aycock, Black, Bogle, Bullock, Covington, Cowles, Cowper, Eure, Faison, Ferebee, Hall, Harris of Franklin, Howard, Keener, Latham, Leitch of Robeson, McCleese, McEachern, McLean, Morehead, Pitchford, Sanders, Shober, Stanford, Whitford, Wiggins, Williams, Wilson and Winstead— 9.

The following Senators voted for Mr. BEST, viz:

Messrs. Speaker, Arendell, Blount, Boner, Boyd, Coward, Garner, Gash, Gorrell, Harris of Rutherford, Jones of Columbus, Jones of Wake, Leach of Davidson, Morgan, Pool, Snead and Warren—17.

Received a message from the House of Commons concurring in the proposition to go into an election for Solicitor for the 2d Judicial District, and that the name of William A. Allen of Duplin, was in nomination in that House in addition to the names sent in by the Senate.

An election was then held for Solicitor for the 2d Judicial District, Messrs. Coward and Covington superintending on the part of the Senate, with the following result.

Those who voted for Mr. FAIRCLOTH, are:

Messrs. Speaker, Black, Blount, Boner, Bullock, Coward, Cowles, Donaho, Garner, Gash, Gorrell, Harris of Rutherford, Jones of Wake, Keener, Leach of Davidson, Morgan, Pool and Warren—18.

Those who voted for Mr. SCOTT, are,

Messrs. Cowper, Hall, Latham, McCleese, Morehead, Pitchford, Sanders, Whitford, Wiggins, Williams and Wilson—11.

Those who voted for Mr. ALLEN, are:

Messrs. Covington, Eure, Faison, Ferebee, Harris of Franklin, Howard, McEachern, McLean and Stanford—9.

Those who voted for Mr. PERRY, are:

Messrs. Arendell, Bogle, Boyd, Snead and Winstead—5.

Mr. Cowles, from the committee to superintend the election for Secretary of State, reported,

That the whole number of votes cast was 154. Necessary to a choice 78, of which Mr. Best received 78; Mr. Williams 76. Mr. Best having received a majority of all the votes cast was duly elected.

The report was concurred in.

Whereupon, it being 2 o'clock,

On motion of Mr. Gorrell,

The Senate adjourned until 11 o'clock to-morrow morning.

SATURDAY, DECEMBER 2D, 1865.

Prayer by the Rev. Henry Hardie.

Mr. Covington, from the committee to superintend the election for Solicitor for the 2d Judicial District, reported,

That the whole number of votes cast was 147. Necessary for a choice 74, of which Mr. Faircloth received 88; Mr. Allen 30; Mr. Scott 21; Mr. Perry 8. That Mr. Faircloth having received a majority of all the votes cast, was duly elected.

The report was concurred in.

A bill (S. 2,) to extend the charter of the Bank of the State of North-Carolina, came upon its second reading, when,

On motion of Mr. Leitch of Robeson,

It was laid on the table.

A message was received from the House of Commons proposing to go forthwith into an election for Judge for the 3d Judicial District, and that the names of Hon. D. G. Fowle and William Eaton, Jr., were in nomination,

Which being read, was,

On motion of Mr. Pitchford,

Laid on the table, and the House was so informed by message.

Mr. Leach of Davidson introduced the following resolution:

Resolved, That a message be sent to the House of Commons proposing to go into the election of two United States Senators on Monday next at 1 o'clock; and that of the two gentlemen elected, he who shall receive the largest number of votes shall be declared to be elected for the long term, and he who shall receive the smaller number of votes for the short term.

And the same being read,

Mr. Eure moved it be laid on the table, and the motion prevailed.

A message was received from the House of Commons asking the concurrence of the Senate in the following resolution, viz:

Resolved, By the House of Commons, (the Senate concurring,) that in the execution of the joint order of the two Houses to go into the election of the Senators of the United States at 12 o'clock M. on Monday next, the election shall first be to fill the Senatorial term beginning on the 4th day of March, 1865, and immediately thereafter to fill the unexpired term, beginning on the 4th day of March, 1861.

Which being read,

Mr. Leach of Davidson, moved to substitute therefor the resolution introduced by himself, and the question thereon was put and

Decided in the negative, { Yeas.....18 / Nays.....28

On motion of Mr. Ferrebee,

The yeas and nays being ordered,

The following voted in the affirmative, viz:

Messrs. Arendell, Black, Bogle, Boyd, Coward, Cowles,

Garner, Gash, Gorrell, Harris of Rutherford, Jones of Columbus, Jones of Wake, Leach of Davidson, Morgan, Pool, Snead, Warren and Winstead.

And the following in the negative, viz:

Messrs. Aycock, Boner, Bullock, Bynum, Covington, Cowper, Donaho, Eure, Faison, Ferrebee, Hall, Harris of Franklin, Howard, Keener, Latham, Leitch of Robeson, McCleese, McEachen, McLean, Morehead, Pitchford, Sanders, Shober, Stanford, Whitford, Wiggins, Williams and Wilson.

The question recurring upon the proposition of the House of Commons,

It was concurred in, and that body so informed by message.

Received a message from the House of Commons, proposing to go forthwith into an election for Judge of the 4th Judicial District, and that the Hon. R. B. Gilliam was in nomination in the House. Messrs. Jenkins, of Granville, and Moore, of Alamance, constitute the committee on the part of the House, to superintend the election.

The Senate concurred

An election was then held for Judge of the 4th Judicial District, Messrs. Williams and Morgan superintending on the part of the Senate, which resulted as follows:

The following Senators voted for Mr. GILLIAM, viz:

Messrs. Speaker, Arendell, Aycock, Black, Bogle, Boner, Boyd, Bullock, Bynum, Covington, Coward, Cowles, Cowper, Donaho, Eure, Faison, Ferebee, Garner, Gash, Gorrell, Harris of Franklin, Harris of Rutherford, Howard, Jones of Columbus, Jones of Wake, Keener, Latham, Leach of Davidson, Leitch of Robeson, McCleese, McEachern, McLean, Morehead, Morgan, Pitchford, Pool, Sanders, Shober, Snead, Stanford, Warren, Whitford, Wiggins, Williams, Wilson and Winstead—46.

On motion of Mr. Faison,

Ordered, That a message be sent to the House of Commons proposing to go forthwith into an election for Solicitor for the 4th Judicial District.

Mr. Faison placed the name of the Hon. Thomas Settle of Rockingham, in nomination.

On motion of Mr. Pitchford,

The message from the House of Commons proposing to go into an election for a Judge for the 3d Judicial District, was taken from the table, when,

A message was received from the House of Commons concurring in the proposition to go forthwith into the election for a Solicitor for the 4th Judicial District; and that Messrs. Burton and Dalby would superintend the election on the part of the House.

An election was then held for Solicitor of the 4th Judicial District, Messrs. Faison and Latham superintending, which resulted as follows:

The following named Senators voted for Mr. SETTLE, viz:

Messrs. Arendell, Aycock, Black, Bogle, Boyd, Bullock, Bynum, Covington, Coward, Cowles, Cowper, Donaho, Eure, Faison, Ferrebee, Garner, Gash, Gorrell, Harris of Franklin, Harris of Rutherford, Jones of Columbus, Jones of Wake, Keener, Latham, Leach of Davidson, Leitch of Robeson, McCleese, McEachen, McLean, Morehead, Morgan, Pitchford, Pool, Sanders, Snead, Stanford, Warren, Whitford Wiggins, Williams, Wilson and Winstead—42.

Mr. Williams, from the committee to superintend the election for Judge for the 4th Judicial District, reported,

That the whole number of votes cast was 155. Necessary to a choice 78, of which Mr. Gilliam received 155, which being the whole number of votes cast, was duly elected.

The report was concurred in.

The question recurring on the proposition from the House

of Commons to go into an election for a Judge for the 3d Judicial District.

Mr. Covington moved that the Senate concur, when,

On motion of Mr. Leach of Davidson,

It was laid on the table until 1 o'clock.

Mr. Faison, from the committee to superintend the election for a Solicitor for the 4th Judicial District, reported,

That the whole number of votes cast was 141. Necessary to a choice 72, of which Mr. Settle received 140; Mr. Wilson 1. Mr. Settle having received a majority of the whole, was duly elected.

The report was concurred in.

Received a message from the House of Commons proposing to go forthwith into an election for Judge of the 5th Judicial District, and that Messrs. R. P. Buxton, R. S. French, W. A. Wright and H. L. Holmes were in nomination.

Messrs. Russell and Everett would superintend the election on the part of the House.

The Senate concurring, an election was held for Judge of the 5th Judicial District, Messrs. Wilson and Bogle superintending, which resulted as follows:

The following Senators voted for Mr. BUXTON, viz:

Messrs. Speaker, Arendell, Black, Bogle, Boner, Boyd, Bullock, Bynum, Coward, Cowles, Cowper, Donaho, Garner, Gash, Gorrell, Harris of Rutherford, Jones of Columbus, Jones of Wake, Leach of Davidson, McCleese, Morgan, Pool, Sanders, Snead, Warren and Winstead—26.

The following Senators voted for Mr. FRENCH, viz:

Messrs. Aycock, Covington, Eure, Ferebee, Hall, Howard, Latham, Leitch of Robeson, McLean, Morehead and Wilson—11.

The following Senators voted for Mr. HOLMES, viz:

Messrs. Faison, Harris of Franklin, McEachern, Shobey, Stanford, Whitford and Williams—7.

The following Senators voted for Mr. WRIGHT, viz:

Messrs. Keener, Pitchford and Wiggins—3.

Mr. Bogle, from the committee to superintend the election for a Judge for the 5th Judicial District, reported,

That the whole number of votes cast was 155. Necessary to a choice 78. Of which Mr. Buxton received 101; Mr. French 27; Wright 18; Holmes 9. Mr. Buxton having received a majority of the whole number, was duly elected.

The report was concurred in.

A message was received from the House of Commons, proposing to go forthwith into an election for Solicitor of the 5th Judicial District, and that Messrs. W. S. Devane, J. W. Cameron, A. M. Waddell, Neill McKay, Giles Leitch, James McCorkle and A. R. McDonald were in nomination.

The Senate concurring, of which the House was informed by message, an election was held for a Solicitor for the 5th Judicial District, under the superintendence of Messrs. Garner and Bullock, which resulted as follows;

The following Senators voted for Mr. MCKAY, viz:

Messrs. Bogle, Coward, Cowles, Donaho, Garner, Gash, Jones of Wake, Keener, Morgan, Pitchford, Pool, Snead, Warren and Winstead—14.

The following Senators voted for Mr. LEITCH, viz:

Messrs. Bynum, Ferebee, Howard, McLean, Sanders, Whitford, Wiggins and Williams—8.

The following Senators voted for Mr. DEVANE, viz:

Messrs. Aycock, Faison, Hall, Harris of Franklin, and Stanford—5.

The following Senators voted for Mr. MCCORKLE, viz:

Messrs. Bullock, Harris of Rutherford, McEachern and Wilson—4.

The following Senators voted for Mr. MCDONALD, viz:

Messrs. Black, Boner, Boyd and Gorrell—4.

The following Senators voted for Mr. CAMERON, viz:

Messrs. Covington, Latham and Morehead—3.

The following Senators voted for Mr. WADDELL, viz:

Messrs. Cowper and Shober—2.

Mr. Pitchford moved to take from the table the message from the House of Commons proposing to go into an election for a Judge for the 3d Judicial District, when

The Speaker held that by laying the message on the table it was a non-concurrence in the proposition and the House had been so informed.

On motion of Mr. Pitchford,

Ordered, That a message be sent to the House of Commons proposing to go forthwith into an election for Judge of the 3d Judicial District.

Mr. Ferebee nominated WILLIAM EATON, Jr, of Warren.

Mr. Cowles placed in nomination Hon. D. G. FOWLE, of Wake.

Mr. Ferebee asked for, and obtained, permission to spread upon the journal his objection to the second clause of the Constitutional Amendment abolishing slavery within the United States.

Messrs. Fanson, Sanders and Cowper also desired to unite with Mr. Ferebee, which was granted.

Mr. McLean gave notice that he would at an early day introduce resolutions stating his position on this subject.

A message from the House informed the Senate that the proposition to go forthwith into an election for Judge for the 3d Judicial District was concurred in, and Messrs. Judkins and Ferrell would superintend the election in the House.

An election for Judge for the 3d Judicial District was then held, Messrs. Pitchford and Arendell superintending which resulted as follows:

The following Senators voted for Mr. FOWLE, viz:

Messrs. Speaker, Arendell, Black, Bogle, Boner, Boyd,

Bullock, Bynum, Coward, Cowles, Garner, Gash, Gorrell, Harris of Rutherford, Jones of Columbus, Jones of Wake, Keener, Leach of Davidson, Morehead, Morgan, Pool, Snead, Warren, Wilson, Winstead—25.

The following Senators voted for Mr. EATON, viz:

Messrs. Aycock, Covington Cowper, Donaho, Eure, Faison, Fer-bee, Hall, Harrison, Franklin, Howard, Latham, McCleese, McEachern, McLean, Pitchford, Sanders, Whitford, Wiggins and Williams—19.

Mr. Stanford, upon the call of his name, informed the Senate that in this election he had paired off with Mr. Blount.

Mr. Bullock, from the committee to superintend the election for Solicitor for the 5th Judicial District, reported,

That the whole number of votes cast was 146. Necessary to a choice 74. Of which Mr. McKay received 74; Mr. Leitch 20; Mr. Cameron 15; Mr. McCorkle 13; Mr. McDonald 12; Mr. Devane 8; Mr. Waddell 4. Mr. McKay having received a majority of the whole number, was duly elected.

The report was concurred in.

When it being 1 o'clock and 30 minutes,

On motion of Mr. Bogle,

The Senate adjourned until 10 o'clock Monday.

MONDAY, DECEMBER, 4TH, 1865.

Prayer by the Rev. C. H. Wiley.

Mr. James M. Isbell, the Senator from the 46th Senatorial District, composed of the counties of Burke, McDowell and Caldwell, appeared, presented his credentials and was qualified.

The Speaker announced the following Standing Committees of the Senate, viz:

On Propositions and Grievances—Messrs. Winstead, Blount, Aycock, Harris of Franklin, Jones of Wake, Black and McCleese.

On Privileges and Elections—Messrs. Harris of Rutherford, Bullock, Faison, Gorrell, Sanders, Morgan and Stanford.

On Judiciary—Messrs. Warren, Howard, Morehead, Bynum, Wilson, Leach of Davidson and Bogle.

On Internal Improvements—Messrs. Jones of Columbus, Whitford, Hall, Jones of Wake, Shober, Bogle and Pitchford.

On Claims—Messrs. Cowles, Snead, Williams, Aycock, Isbell, McLean and Garner.

On Education and Literary Fund—Messrs. Pool, Shober, Forebee, Howard, Leitch of Robeson, Donaho and Boner.

On Banks and Currency—Messrs. Leach of Davidson, Eure, Jones of Wake, Warren, Wilson, Boyd and Cowper.

On Corporations—Messrs. Arendell, Boyd, Hall, Keener, Latham, Gash and McEachern.

On Agriculture—Messrs. Covington, Harris of Franklin, Coward, Williams, Pitchford, Faison and Bullock.

The following Joint Standing Committees were also announced as follows:

On Finance—Messrs. Wiggins, Bynum, Morehead, Jones of Columbus, Leitch of Robeson, Covington, Cowper and Whitford.

On Military Affairs—Messrs. Forebee, Cowles and Eure.

On Public Buildings and Grounds—Messrs. Garner and McEachern.

On Cherokee Lands and Western Turnpikes—Messrs. Gash, Keener and Harris of Rutherford.

On Swamp Lands—Messrs. Latham, Coward and McCleese.

On Library—Messrs. Morehead, Donaho and Gorrell.

On Deaf, Dumb and Blind Asylum—Messrs. Arendell, Warren and Boner.

On Lunatic Asylum—Messrs. Blount, Eure and Arendell.

The Speaker announced the following committee, viz:

On Enrolled Bills—Messrs. McLean, Leitch of Robeson and Snead.

Mr. Wiggins presented the memorial of Messrs. George Little and R. W. Lassiter, in behalf of the Raleigh and Gaston Railroad, praying for an amendment to the charter of said railroad. Referred to the committee on Propositions and Grievances.

Bills and Resolutions of the following titles then being introduced and read, passed the first reading and were disposed of as follows:

By Mr. Wiggins, bill (S, 4,) to exempt the Raleigh and Gaston Railroad Company from rebuilding the bridge across the Roanoke at Gaston. Referred to committee on Propositions and Grievances.

By Mr. McCleese. Resolutions (S. R. 5,) in favor of Hon. Z. B. Vance, as follows:

Resolved, by the General Assembly of North-Carolina, That the members of this body, having entire confidence in the loyalty and honor of Hon. Z. B. Vance, would be pleased to see an extension of the Executive clemency in his pardon, and believe that this action would be highly gratifying to the people of the State.

Resolved, That the Speakers of this body be and they are hereby instructed to lay these resolutions before his Excellency, the Provisional Governor, and ask him to forward them to the President of the United States, with the assurance that the action of this assembly in the premises springs from a sincere desire to promote the patriotic aims of his Excellency, the President, in re-constructing the Union, and restoring to it the blessings of domestic tranquility.

Passed, ordered to be engrossed and transmitted to the House of Commons.

By Mr. McLean, a resolution (S. 6,) touching the amendment of the Constitution of the United States, known as the 13th article.

Ordered to be printed and referred to Judiciary.

From the House of Commons a bill (H. 7,) to amend an act passed at the session of the General Assembly of 1860–'61, entitled "An act to appoint tax collectors for Bertie and other counties."

Placed on the calendar.

From the House of Commons, resolutions (H. R. 8,) declaring the loyalty of the people of North-Carolina.

Passed, and ordered to be enrolled.

Mr. Ferebee introduced the following resolution:

Resolved, That a joint select committee of three on the part of the Senate and five on the part of the House of Commons, be appointed to confer with the Board, which, under the authority of the Convention, was appointed by the Provisional Governor, to prepare a Code of Laws for the government of freedmen; the said committee will ascertain what progress has been made by the Board, and when a report may be expected.

And it was adopted, of which the House of Commons was informed by message.

A message was received from the House of Commons informing the Senate of the appointment of Messrs. McNair, Smith of Cumberland, Bryson, Moore of Alamance, and Scoggins to the committee *on enrolled bills*.

Mr. Howard introduced the following resolution:

Resolved, That the committee on the Judiciary be instructed to enquire what legislation is necessary to enable the several counties of the State to make provision for the poor, and report by bill or otherwise.

Which being read, was adopted.

On motion of Mr. Cowles,

Ordered, That a message be sent to the House of Commons proposing to go forthwith into an election for Judge for the 6th Judicial District.

Mr. Cowles nominated Hon. Anderson Mitchell.

Mr. Ferebee nominated Hon. James W. Osborne.

A bill (S. 8,) to amend chapter 33d of the Revised Code was read second time, referred to the committee on the Judiciary and ordered to be printed.

A bill (S. 9,) introduced by Mr. McCleese, to establish a Homestead Freehold by exempting from execution a certain portion of the land of any citizen of the State of North-Carolina.

On motion of Mr. Leitch of Robeson,

Ordered, That it be printed and referred to the Committee on the Judiciary.

Mr. Pitchford, from the committee to superintend the election for Judge of the 3d Judicial District reported,

That the whole number of votes cast was 153. Necessary to a choice 77. Of which Mr. Fowle received 110; Mr. Eaton 43. Mr. Fowle having received a majority of the whole number, was duly elected.

The report was concurred in.

A message was received from the House of Commons concurring in the proposition, to go forthwith into the election for Judge for the 6th Judicial District, and that Messrs. Hutchison and Sharpe would superintend the election in the House.

An election was then held for a Judge for the 6th Judicial District, under the superintendence of Messrs. Ferebee and Cowles, with result as follows, viz:

The following Senators voted for Mr. MITCHELL, viz:

Messrs. Speaker, Arendell, Black, Bogle, Boner, Boyd, Bullock, Coward, Cowles, Cowper, Donaho, Garner, Gash, Gorrell, Harris of Rutherford, Isbell, Jones of Columbus,

Jones of Wake, Leach of Davidson, McCleese, Morehead, Morgan, Pool, Sanders, Shober, Snead, Warren, Whitford and Winstead—29.

The following Senators voted for Mr. OSBORNE, viz:

Messrs. Aycock, Bynum, Covington, Eure, Faison, Ferebee, Hall, Harris, of Franklin, Howard, Keener, Latham, Leitch of Robeson, McEachern, McLean, Pitchford, Stanford, Wiggins, Williams and Wilson—19.

On motion of Mr. Leitch of Richmond,

Ordered, That a bill, (S. 2,) to amend the charter of the Bank of the State of North-Carolina be taken from the table and placed on the calendar.

At 12 o'clock the Speaker announced the special order, viz: the election of a United States Senator for the term beginning on the 4th of March, 1865.

Mr. Wiggins nominated Hon. W. A. Graham.

The House of Commons were informed that the Senate would proceed to vote upon the return of the messenger.

An election was then held for United States Senator, for the term beginning on the 4th of March, 1865, Messrs. Wiggins and Bogle superintending, with result as follows:

The following Senators voted for Mr. GRAHAM, viz:

Messrs. Speaker, Arendell, Aycock, Bogle, Boner, Bullock, Bynum, Covington, Coward, Cowles, Cowper, Donaho, Eure, Faison, Ferebee, Garner, Gash, Harris of Franklin, Howard, Keener, Latham, Leach of Davidson, Leitch of Robeson, McCleese, McEachern, McLean, Morehead, Pitchford, Pool, Sanders, Shober, Stanford, Whitford, Wiggins, Williams and Winstead—36.

The following Senators voted for Hon. NATHANIEL BOYDEN, viz:

Messrs. Boyd and Wilson—2.

Mr. Harris of Rutherford, voted for Hon. BEDFORD BROWN.

Mr. Cowles, from the committee to superintend the election for Judge of the 6th Congression District, reported,

That the whole number of votes cast was 164. Necessary to a choice 83. Of which Mr. Mitchell received 94; Mr. Osborne 70. Mr. Mitchell having received a majority of the whole was duly elected.

The report was concurred in.

Received a message, from the House of Commons, transmitting an engrossed resolution (H. R. 10,) concerning the *per diem* and mileage of the officers and members of this Legislature.

It was read first time, passed and placed on the calendar.

Received a message, from the House of Commons, concurring in the resolution of the Senate to appoint a joint select committee of three on the part of the Senate and five on the part of the House to confer with the board appointed to prepare a code for the government of Freedmen.

An election was then held for a Senator of the United States for the term beginning on the 4th March, 1861, under the superintendance of Messrs. Wilson and Snead.

Mr. Sanders having nominated John Pool, Esq.,

Mr. Faison having nominated Hon. Bedford Brown;

And Mr. Covington having nominated Hon. Thomas S. Ashe, which resulted as follows, viz:

The following Senators voted for Mr. POOL, viz:

Messrs. Speaker, Arendell, Black, Bogle, Boyd, Bullock, Bynum, Coward, Cowles, Garner, Gash, Gorrell, Harris of Rutherford, Isbell, Jones of Columbus, Jones of Wake, Keener, Leach of Davidson, Morgan, Sanders, Snead, Warren and Winstead—23.

The following Senators voted for Mr. BROWN, viz:

Messrs. Cowper, Donaho, Faison, Ferebee, Harris of Franklin, Howard, Latham, McCleese, Morehead, Whitford, Wiggins and Williams—12.

The following Senators voted for Mr. ASHE, viz:

Messrs. Aycock, Covington, Hall, Leitch of Robeson, McEachern, McLean and Wilson—7.

Mr. Eure voted for Mr. Smith.

Mr. Pitchford voted for Mr. Eaton.

Mr. Stanford gave notice that he had paired off, in this election, with Mr. Blount.

A message was received from the House of Commons, after the conclusion of the vote, announcing that Hons. R. P. Dick and Nathaniel Boyden were in nomination in that House.

Mr. Wiggins, from the committee to superintend the election for United States Senator for the term beginning on the 4th March, 1865, reported,

That the whole number of votes cast was 154. Necessary to a choice 78. Of these Mr. Graham received 138; Mr. Boyden 8; Mr. Dick 7; Mr. Browh 1. Mr. Graham having received a majority of the whole number was duly elected.

The report was concurred in.

The Speaker ratified in open Senate the enrolled resolutions adopting the Constutional Amendment abolishing slavery within the United States.

A message was received from the House of Commons proposing to go forthwith into an election for Judge for the 8th Judicial District; and that Messrs Merrimon and Lenior were in nomination. Messrs. Craig and Wilson constitute the committee on the part of the House to superintend the election.

The Senate concurred, and an election was then held for Judge of the Superior Court, under the superintendence of Messrs. Bogle and Morgan, which resulted as follows, viz:

The following Senators voted for Mr. MERRIMON, viz:

Messrs. Speaker, Arendell, Black, Bogle, Boner, Boyd, Bullock, Bynum, Coward, Cowles, Cowper, Donaho, Garner, Gash, Gorrell, Jones of Columbus, Jones of Wake, Latham, Leach of Davidson, Leitch of Robeson, McCleese, McEachern,

McLean, Morehead, Morgan, Pitchford, Pool, Shober, Warren, Whitford, Wiggins, Wilson and Winstead—33.

The following Senators voted for Mr. LENOIR, viz:

Messrs. Aycock, Covington, Eure, Faison, Ferrebee, Hall, Harris of Franklin, Harris of Rutherford, Isbell, Keener, Sanders, Snead, Stanford and Williams—14.

Mr. Wilson, from the committee to superintend the election for United States Senator for the term beginning on the 4th March, 1861, reported as follows:

That the whole number of votes cast was 160. Necessary to a choice 81, of these Mr. Pool received 80; Mr. Ashe 47; Mr. Brown 22; Mr. Boyden 7; Mr. Smith 2; Mr. Eaton 1; Mr. Henry 1. No one having received a majority of all the votes, there was no election.

The report was concurred in.

Mr. Leach of Davidson moved that a message be sent to the House of Commons proposing to go forthwith into the election for a United States Senator for the term beginning on the 4th March, 1861.

Mr. Ferebee moved to lay the motion on the table, and the question thereon was put and

Decided in the negative, { Yeas, ... 23 / Nays, ... 23

On motion of Mr. Ferebee,

The yeas and nays being ordered,

The following voted in the affirmative, viz:

Messrs. Aycock, Covington, Cowper, Donaho, Eure, Faison, Ferebee, Hall, Harris of Franklin, Howard, Keener, Latham, Leitch of Robeson, McCleese, McEachern, McLean, Morehead, Pitchford, Shober, Stanford, Whitford, Wiggins and Williams.

And the following voted in the negative, viz:

Messrs. Arendell, Black, Bogle, Boner, Boyd, Bullock, Bynum, Coward, Cowles, Garner, Gash, Gorrell, Harris of Rutherford, Isbell, Jones of Columbus, Jones of Wake,

Leach of Davidson, Morgan, Pool, Snead, Warren, Wilson and Winstead.

The Speaker voting with the negative, the Senate refused to lay on the table.

A message being received from the House of Commons proposing to go into an election for Senator of the United States for the term beginning on the 4th of March, 1861, at 1½ o'clock, which being read,

By the unanimous consent of the Senate, Mr. Leach of Davidson, withdrew his motion, and moved to concur with the proposition of the House.

The discussion which ensued, lasting beyond the proposed hour (1½ o'clock,) when,

Mr. Howard rose to a point of order, that the hour having passed, the Senate in fact had refused to concur, and the discussion was out of order.

The Speaker ruled the point well taken.

Mr. Bogle, from the committee to superintend the election for Judge of the 8th Judicial District, reported as follows:

That the whole number of votes cast was 159. Necessary to a choice 80. Of which Mr. Merrimon received 104; and Mr. Lenoir 55. Mr. Merrimon having received a majority of the whole, was duly elected.

The report was concurred in.

Mr. Pitchford introduced the following resolution, viz:

Resolved, That the Committee on the Judiciary be instructed to ascertain what laws are now in force in regard to the salaries of the Supreme and Superior Court Judges of the State and report to this Legislature as soon as possible.

The resolution was adopted.

The Speaker announced a communication to the Senate, which was read as follows:

RALEIGH, December 4th, 1865.

To the Hon. THOMAS SETTLE,
Speaker of the Senate:

SIR:—Having been chosen a Senator of the United States, I beg leave hereby to resign the seat in the Senate, to which I have been elected from the 30th District, composed of the county of Orange.

With the kindest and most respectful sentiments towards each member of the Senate,

I remain with true regard,
Your obedient servant,
W. A. GRAHAM.

The resignation was accepted.

Mr. Howard introduced the following resolution, viz:

Resolved, That the Judiciary committee be instructed to enquire and report whether the United States Senatorial term, commencing March 4th, 1861, is vacant or not.

Mr. Leach of Davidson, moved to lay the resolution on the table, and the question was put and

Decided in the negative, { Ayes, ...22.
Noes, ...23.

On motion of Mr. Howard,

The ayes and noes being ordered,

The following voted in the affirmative, viz:

Messrs. Arendell, Black, Bogle, Boyd, Bynum, Coward, Cowles, Donaho, Garner, Gash, Gorrell, Harris of Rutherford, Isbell, Jones of Columbus, Jones of Wake, Leach of Davidson, Morgan, Sanders, Shober, Snead, Warren and Winstead.

And the following in the negative, viz:

Messrs. Aycock, Boner, Bullock, Covington, Cowper, Eure, Faison, Ferebee, Hall, Harris of Franklin, Howard, Keener, Latham, Leitch of Robeson, McCleese, McEachern, McLean,

Morehead, Pitchford, Whitford, Wiggins, Williams and Wilson.

The question recurred.

And the resolution was adopted.

Mr. Shober introduced the following resolution, viz:

Resolved, That the Speaker of the Senate issue his warrant to the Sheriff of Orange county, directing an election to be held, as provided by law, for a Senator in the 30th district, composed of the county aforesaid, on Thursday the fourteenth day of December instant,

Which being read, was adopted.

Whereupon, it being 1 o'clock and 40 minutes,

On motion of Mr. Jones of Wake,

The Senate adjourned until 11 o'clock to-morrow.

TUESDAY, DECEMBER, 5TH, 1865.

Prayer by the Rev. T. E. Skinner.

Mr. Gash introduced two memorials from the Grand Juries of Buncombe and Transylvania counties, in regard to the colonization of the freedmen by the General Government, and failing that, the passage of stringent laws by this Genera Assembly for their government.

They were, on his motion, referred to the committee on Propositions and Grievances.

Mr. Warren, from the committee on the Judiciary, made the following report:

The committee on the Judiciary who were "instructed to inquire and report whether the United States Senatorial term, commencing March 4th, 1861, is vacant or not," ask leave to submit the following report:

They are of the opinion that the General Assembly has not, much less has the Senate, the right to declare vacant a seat in the Senate of the United States—that body being the final and sole judge in the premises. But they assume that

the principles of the common law in relation to the forfeiting of offices by abandonment or *non-user*, are recognized by the Government of the United States, as they are by the government of this State. Proceeding upon this assumption, it is clear that the Hon. Thos. L. Clingman, who was elected a Senator for the term commencing on the 4th day of March, 1861, and ending on the 3d day of March, 1867, is not now entitled to claim a seat in the Federal Congress by virtue of that election, whether he was ever admitted thereto or not. If he was admitted thereto, as the committee are informed he was, his seat is vacant by his voluntary withdrawal therefrom. If he was not admitted, it is vacant by his failure for more than four years to apply for admission, or to attempt to exercise the functions of his office.

Nor is the fact to be overlooked, that during this time, Mr. Clingman has been in armed hostility to the Government of the United States, whose officer he was. His acts are unequivocal evidences of his intention to abandon all connection with that Government.

The committee are informed and are confident that the information is correct, that the Senate of the United States has passed upon the question, and that the members thereof from this State were expelled, under the authority conferred upon each branch of the National Legislature by Section 5, Article 1, of the Constitution.

They therefore believe it to be the duty of this General Assembly to fill the vacancy thus created, and they report the accompanying resolution as embodying their views, and recommend its adoption.

E. J. WARREN, *Chm'n.*

Resolved, That in the opinion of the Senate the seat of the Hon. Thos. L. Clingman in the Senate of the United States is vacant; and that it is the duty of the General Assembly to fill such vacancy.

The question being upon the adoption of the report, the same was put and

Decided in the affirmative, { Ayes, ... 47 / Noes, ... 00

On motion of Mr. Warren,

The ayes and noes being ordered,

The following voted in the affirmative, viz:

Messrs. Arendell, Aycock, Black, Blount, Bogle, Boner, Boyd, Bullock, Bynum, Covington, Coward, Cowles, Donaho, Eure, Faison, Ferebee, Garner, Gash, Gorrell, Hall, Harris of Franklin, Harris of Rutherford, Howard, Isbell, Jones of Columbus, Jones of Wake, Keener, Latham, Leach of Davidson, Leitch of Robeson, McCleese, McEachern, McLean, Morehead, Morgan, Pitchford, Pool, Sanders, Shober, Snead, Stanford, Warren, Whitford, Wiggins, Williams, Wilson and Winstead.

So the report was concurred in, and the resolution adopted.

On motion of Mr. Leach of Davidson,

Ordered, That a message be sent to the House of Commons proposing to go forthwith into an election for United States Senator for the term beginning on the 4th March, 1861.

Mr. Sanders nominated John Pool, Esq.

Mr. Hall nominated Hon. Thos. S. Ashe.

Mr. Donaho withdrew the name of Hon. Bedford Brown.

A message was received from the House of Commons, proposing to go forthwith into an election for a Solicitor for the 8th Judicial District; and that Messrs. David Coleman, Bedford Brown, Jr., and J. L. Henry were in nomination in the House.

On motion of Mr. Leach of Davidson,

The Senate refused to concur, and the House so informed by message.

The House of Commons, by message, concurred in the proposition from the Senate, to go forthwith into the election for United States Senator for the term beginning 4th

March, 1861, and Messrs. Henry and Niven would superintend in the House.

An election was then held, Messrs. Howard and Sanders superintending, with result as follows, viz:

The following Senators voted for Mr. POOL, viz:

Messrs. Speaker, Arendell, Black, Blount, Bogle, Boyd, Bullock, Bynum, Coward, Cowles, Donaho, Garner, Gash, Gorrell, Harris of Rutherford, Isbell, Jones of Columbus, Jones of Wake, Leach of Davidson, Morgan, Sanders, Snead, Warren and Winstead—24.

The following Senators voted for Mr. ASHE, viz:

Messrs. Aycock, Covington, Faison, Hall, Harris of Franklin, Howard, Keener, Leitch of Robeson, McEachern, McLean, Morehead, Shober, Stanford, Whitford, Williams and Wilson—16.

The following Senators voted for Hon. W. N. H. SMITH, viz:

Messrs. Cowper, Eure, Ferebee, Latham, McCleese, Pitchford and Wiggins—7.

Mr. Ferebee introduced the following resolution:

Resolved, That the Secretary of State be instructed to report to the Senate whether the letter book of the Governor and other public records, heretofore deposited in this Capitol, and since removed by military authority, have been restored to his office; if not, what effort he is using to procure them, and the prospect of success.

Which, being read, was adopted.

The the following, (S. R. 13) introduced by Mr. Harris of Rutherford, was read first time, passed and placed on the calendar.

Resolved, That the State Librarian be required to make and publish a complete catalogue of books now in the Library.

On motion of Mr. Cowles,

Ordered, That a message be sent to the House of Com-

mons proposing to go forthwith into an election for Solicitor for the 6th Judicial District.

Mr. Bogle nominated Mr. L. Q. Sharpe; Mr. Shober nominated Mr. D. M. Furches; Mr. McEachern placed in nomination Gen. R. Barringer; Mr. Covington nominated Mr. C. M. T. McCauley, and Mr. Wilson nominated Mr. R. P. Warring.

Mr. Howard, from the committee to superintend the election for United States Senator for the term beginning 4th March, 1861, reported as follows:

That the whole number of votes cast was 163. Necessary to a choice 82. Of which Mr. Pool received 93; Mr. Ashe 60; Mr. Smith 9; and Mr. Boyden 1. Mr. Pool having received a majority of the whole number was duly elected.

The report was concurred in.

Bills of the titles following were introduced, read the first time, passed the first reading, and referred as follows:

By Mr. McLean, (S. 11,) a bill to carry into effect an Ordinance of the Convention, in regard to the election of Clerks and Sheriffs. Referred to committee on Judiciary.

By Mr. Gash, (S. 12,) a bill to amend an act passed at the session of 1854-'55, to incorporate the Little River Turnpike Company; Cherokee Lands and Western Turnpikes.

Received, a message from the House of Commons, concurring in the Senate proposition to go into the election for Solicitor of the 6th Judicial District; and that Messrs. Trull and Whitley would superintend the election on the part of the House.

An election was then held, in accordance therewith, under the superintendence of Messrs. Shober and Covington, with result as follows:

The following Senators voted for Mr. SHARPE, viz:

Messrs. Arendell, Blount, Bogle, Bullock, Bynum, Cowles, Cowper, Donaho, Eure, Harris of Rutherford, Isbell, Jones

of Columbus, Jones of Wake, Keener, Leach of Davidson, McCleese, Pitchford, Sanders, Warren, Whitford, Wiggins, Williams and Winstead—23.

The following Senators voted for Mr. BARRINGER, viz:

Messrs. Aycock, Covington, Faison, Ferebee, Hall, Harris of Franklin, Howard, Leitch of Robeson, McEachern, McLean, Morehead, Stanford and Wilson—13.

The following Senators voted for Mr. FURCHES, viz:

Messrs. Speaker, Black, Boner, Boyd, Coward, Gash, Gorrell, Latham, Morgan, Shober and Snead—11.

For Mr. McCAULEY, Messrs. Covington and Morehead—2.

For Mr. WARING, Mr. Wilson—1.

The Speaker announced, as the Senate branch of the committee to confer with Board appointed by the Provisional Governor to prepare a Code for the government of freedmen, Messrs. Ferebee, Leach of Davidson and Covington.

On motion of Mr. Leach of Davidson,

Ordered, That a message be sent to the House of Commons proposing to go forthwith into an election for Solicitor for the 8th Judicial District.

Mr. Donaho nominated Bedford Brown, Jr.

Mr. Keener placed in nomination the names of David Coleman and J. L. Henry.

An Engrossed Bill (H. 3,) to amend an act passed at the session of the General Assembly of 1860-'61, entitled "An act to appoint tax collectors for Bertie and other counties," came up on its second reading and was referred to the committee on Propositions and Grievances.

The House of Commons, by message, concurred in the proposition to go forthwith into the election for Solicitor for the 8th Judicial District, and informed the Senate that Messrs. Craig and Bryson was the committee to superintend the election on the part of the House.

The Senate then proceeded to vote in accordance with

this joint agreement, Messrs. Winstead and Keener superintending, with the following result,

The following Senators voted for Mr. BROWN, viz:

Messrs. Speaker, Arendell, Black, Bogle, Boyd, Bullock, Covington, Cowles, Cowper, Garner, Gash, Gorrell, Harris of Franklin, Harris of Rutherford, Isbell, Jones of Columbus, Jones of Wake, Latham, Leach of Davidson, Morehead, Morgan, Snead and Winstead—23.

The following Senators voted for Mr. COLEMAN, viz:

Messrs. Aycock, Bynum, Faison, Forebee, Howard, Keener, Leitch of Robeson, McCleese, McEachern, McLean, Pitchford, Sanders, Shober, Stanford, Whitford, Wiggins, Williams and Wilson—18.

The following Senators voted for Mr. HENRY, viz:

Messrs. Blount, Coward and Eure—3.

Mr. Shober, from the committee to superintend the election for Solicitor for the 6th Judicial District, reported as follows:

That the whole number of votes cast was 159. Necessary to a choice 80. Of these Mr. Sharpe received 63; Mr. Furches 44; Mr. Barringer 22; Mr. Waring 21; and Mr. McCauley 9. No one having received a majority of all the votes cast, there was no election.

The report was concurred in.

An engrossed resolution (H. R. 11,) concerning the *per diem* and mileage of the officers and members of this General Assembly, was read the second time, passed its second reading, and,

On motion of Mr. Wiggins,

The rules were suspended, and the resolution was read the third time, passed its third reading,

Ordered to be enrolled.

On motion of Mr. Wilson,

Ordered, That a message be sent to the House of Com-

mons, proposing to go forthwith into an election for Solicitor for the 6th Judicial District.

Mr. Wilson withdrew the name of Mr. Waring.

Mr. Covington withdrew the name of Mr. McCauley.

A bill, (S. 2,) to extend the charter of the Bank of the State of North-Carolina, came up on its passage,

On motion of Mr. Wilson,

Referred to the committee on Banks and Currency.

Received, a message, from the House of Commons, proposing to go at once into an election for Attorney General, and that Hons. Sion H. Rogers and S. F. Phillips were in nomination in the House.

The Senate concurring, the Speaker appointed Messrs. Leitch of Robeson, and Black to superintend, and an election was held, which resulted as follows:

The following Senators voted for Mr. ROGERS, viz:

Messrs. Arendell, Aycock, Black, Blount, Bogle, Boyd, Bullock, Bynum, Covington, Coward, Cowper, Faison, Ferebee, Gash, Hall, Harris of Franklin, Jones of Columbus, Jones of Wake, Keener, Latham, Leach of Davidson, Leitch of Robeson, McCleese, McEachern, McLean, Morehead, Morgan, Pitchford, Sanders, Shober, Snead, Stanford, Warren, Whitford, Wiggins and Williams—36.

The following Senators voted for Mr. PHILLIPS, viz:

Messrs. Speaker, Boner, Cowles, Donaho, Eure, Garner, Gorrell, Harris of Rutherford, Isbell, Wilson and Winstead—11.

The following message was received from the House of Commons, announcing the House branch of joint standing committees, viz:

HOUSE OF COMMONS, Dec. 5, 1865.

MR. SPEAKER:

The following consitute the House branch of the joint standing committees, viz:

Finance—Messrs. Smith of Hertford, Rayner, Cowan, Murphy, Thompson, Holderby, Holmes and Harper.

Military Affairs—Messrs. Webb, Hyman, Keenan, Luke and Marler.

Public Buildings—Messrs. Joyner, Judkins and Moore of Alamance.

Cherokee Lands—Messrs. Logan, Hamilton, Coates, Crawford and Mathews.

Swamp Lands—Messrs. Baxter, Farrow, Leigh of Tyrrell, Lucas and McEachen.

Library—Messrs. Cameron, Kenan and Russell.

Deaf, Dumb and Blind Asylum—Messrs. McKay, Jenkins, of Warren, Allison, Davis of Halifax and Craig

Lunatic Asylum—Messrs. Blackmer, Yellowley, Henry, Waugh and York.

S. F. PHILLIPS, *Speaker.*

By Order:

SEATON GALES, *Clerk.*

On motion of Mr. Morehead,

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

Mr. Winstead, from the committee to superintend the election of Solicitor for the 8th Judicial District, reported as follows:

That the whole number of votes cast was 156. Necessary to a choice 79. Of which Mr. Bedford Brown received 77; Mr. David Coleman received 68; Mr. J. L. Henry received 10, and Mr. W. W. Lenoir received 1. No one having received a majority of the whole number of votes, there was no election.

The report was concurred in.

The Speaker announced Messrs. Morehead and Snead as

constituting the Senate branch of the committee to count the votes polled at the election for Governor in November last.

On motion of Mr. Harris of Rutherford,

Resolved, That a joint select committee be raised, three on the part of the Senate and five on the part of the House, to prepare a scale of depreciation of the Confederate currency under an Ordinance of the Convention.

Which being read, was passed and the concurrence of the House asked therein.

The House of Commons concurring in the proposition to go forthwith into the election for Solicitor of the 6th Judicial District, the Senate proceeded to vote, under the superintendence of Messrs. Shober and Covington, as follows:

The following Senators voted for Mr. SHARPE, viz:

Messrs. Arendell, Blount, Bogle, Bullock, Bynum, Cowles, Cowper, Donaho, Eure, Harris of Rutherford, Isbell, Jones of Columbus, Keener, Latham, McCleese, Pitchford, Sanders, Whitford, Wiggins and Winstead—20.

The following Senators voted for Mr. FURCHES, viz:

Messrs. Speaker, Black, Boner, Boyd, Coward, Garner, Gash, Gorrell, Jones of Wake, Leach of Davidson, Morgan, Shober and Snead—13.

The following Senators voted for Mr. BARRINGER, viz:

Messrs. Aycock, Faison, Ferebee, Hall, Harris of Franklin, Howard, Leitch of Robeson, McEachern, McLean, Stanford and Williams—11.

Mr. Leitch of Robeson, from the committee to superintend the election for Attorney General, reported as follows:

That the whole number of votes cast was 159. Necessary to a choice 80. Of which Mr. Rogers receives 82; Mr. Phillips 76; and Mr. Mason 1. Mr. Rogers having received a majority of all the votes cast, was duly elected.

The report was concurred in.

On motion of Mr. Shober,

Ordered, That a message be sent to the House of Commons, proposing to go forthwith into an election for Judge of the 7th Judicial District.

Mr. Shober nominated Hon. W. M. Shipp.

Mr. Harris of Rutherford, nominated Hon. G. W. Logan.

Mr. Shober, from the committee to superintend the election for Solicitor for the 6th Judicial District, reported as follows:

That the whole number of votes cast was 185. Necessary to a choice 80. Of these Mr. Sharp received 92; Mr. Furches 42; and Mr. Barringer 24. Mr. Sharpe having received a majority of the whole number was duly elected.

The report was concurred in.

A message was received from the House concurring in the proposition to go forthwith into the election of a Judge for the 7th Judicial District; also informing the Senate that Hon. B. S. Gaither was in nomination in that House.

The Senate, in accordance with the joint agreement, proceeded to vote, under the superintendance of Messrs. Hall and Boner, as follows:

The following Senators voted for Mr. SHIPP, viz:

Messrs. Speaker, Arendell, Aycock, Blount, Bogle, Boner, Boyd, Bullock, Bynum, Covington, Coward, Cowles, Cowper, Donaho, Eure, Ferebee, Garner, Gash, Gorrell, Isbell, Jones of Columbus, Jones of Wake, Keener, Latham, Leach of Davidson, Leitch of Robeson, McEachern, Morehead, Morgan, Sanders, Shober, Snead, Warren, Wiggins, Wilson and Winstead—35.

The following Senators voted for Mr. GAITHER, viz:

Messrs. Faison, Hall, Harris of Franklin, Howard, McLean, Pitchford, Stanford, Whitford and Williams—9.

The following Senators voted for Mr. Logan, viz: Messrs. Black and Harris of Rutherford—2.

On motion of Mr. Wilson,

Ordered, That a message be sent to the House of Com-

mons proposing to go forthwith into the election of a Solicitor for the 7th Judicial District.

Mr. Wilson nominated Mr. W. P. Bynum.

The Speaker laid before the Senate the following communication:

RALEIGH, N. C., December 5TH, 1865.

HON. THOMAS SETILE,

Speaker of the Senate:

SIR:—Having been elected a Senator of the United States, I hereby resign my seat in the Senate of North-Carolina as a member from the seventh district.

With much respect and esteem,

I am your obedient servant,

JOHN POOL.

The resignation having been accepted,

On motion of Mr. Leach of Davidson,

Resolved, That a writ of election issue to the Sheriff of Bertie County, directing him to hold an election in the 7th Senatorial district, on Thursday, 21st December, 1865, to elect a Senator to supply the vacancy occasioned by the resignation of the Hon. John Pool.

It was so ordered.

Mr. Williams introduced the following resolution, viz:

Resolved, That a joint select committee of two on the part of the Senate and three on the part of the House of Commons, be appointed to take into consideration the business before the General Assembly, and recommend a time for a recess or adjournment.

Which being adopted, the concurrence of the House was asked by message.

Mr. Boner, from the committee to superintend the election of Judge of the 7th Judicial District, reported as follows:

That the whole number of votes cast was 158. Necessary

to a choice 80. Of which Mr. Shipp received 117; Mr. Gaither 29, and Mr. Logan 2. Mr. Shipp having received a majority of the whole number cast, was duly elected.

The report was concurred in.

The House of Commons having concurred in the proposition to go into the election for Solicitor of the 7th Judicial District, of which the Senate were informed by message, as also, that Messrs. G. W. Whitfield and G. N. Folk were in nomination in that House, the Senate proceeded to vote therein under the superintendence of Messrs. Wilson and Donaho, as follows:

The following Senators voted for Mr. BYNUM, viz:

Messrs. Speaker, Arendell, Aycock, Black, Blount, Boner, Boyd, Bullock, Covington, Coward, Cowles, Cowper, Donaho, Eure, Faison, Ferebee, Garner, Gash, Gorrell, Hall, Harris of Franklin, Harris of Rutherford, Jones of Columbus, Jones of Wake, Keener, Latham, Leach of Davidson, Leitch of Robeson, McCleese, McEachern, McLean, Morehead, Morgan, Sanders, Snober, Snead, Warren, Whitford, Wiggins, Williams, Wilson and Winstead—42.

The following Senators voted for Mr. FOLK, viz:

Messrs. Bogle, Isbell, Pitchford and Stanford—4.

Whereupon it being 1 o'clock and 40 minutes,

On motion of Mr. Blount,

The Senate adjourned until 11 o'clock to-morrow.

WEDNESDAY, DECEMBER, 6TH, 1865.

Prayer by the Rev. Mr. Hudson.

A message was received from the House of Commons proposing to go forthwith into an election for Solicitor of the 8th Judicial District; and that Messrs. Coleman, McAden, Brown, Candler and Folk, were in nomination in

the House, and that Messrs. Craig and Bryson would superintend the election in that body.

The Senate concurring, an election was held in accordance therewith, under the superintendance of Messrs. Gorrell and McEachern, with result as follows:

The following Senators voted for Mr. COLEMAN, viz:

Messrs. Aycock, Bynum, Cowper, Faison, Ferebee, Hall, Harris of Franklin, Howard, Keener, Latham, Leitch of Robson, McCleese, McEachern, McLean, Pitchford, Sanders, Stanford, Whitford, Williams and Wilson—20.

The following Senators voted for Mr. BROWN, viz:

Messrs. Black, Bullock, Covington, Fure, Gorrell, Harris of Rutherford, Jones of Wake, Morgan, Snead and Winstead—10.

The following Senators voted for Mr. MCADEN, viz:

Messrs. Speaker, Cowles, Donaho, Morehead, Shober and Wiggins—6.

The following Senators voted for Mr. FOLK, viz:

Messrs. Blount, Bogle, Boyd, Isbell and Jones of Columbus—5.

For Mr. CANDLER, Mr. Gash—1.

Mr. Wilson, from the committee to superintend the election for Solicitor for the 7th Judicial District, reported as follows:

That the whole number of votes cast was 153. Necessary to a choice 77. Of which Mr. Bynum received 136; Mr. Folk 12; and Mr. Whitfield 5. Mr. Bynum having received a majority of all the votes cast, was duly elected.

The report was concurred in.

Received the following message from the House of Commons, viz:

HOUSE OF COMMONS, Dec. 6th, 1865.

MR. SPEAKER:

The House concurs in the resolution for the appointment of a joint select committee to prepare a scale of depreciation of Confederate currency.

House committee: Messrs. Smith of Hertford, Joyner, Caldwell, Thompson and Holmes.

The House also concurs in the proposition to raise a committee to count the vote for Governor.

House committee: Messrs Wheeler and Waugh.

And also, in the proposition to raise a joint select committee to consider the matter of adjournment.

House committee: Messrs. Jenkins of Warren, Murphy and Harrison.

S. F. PHILLIPS, *Speaker.*

By order: SEATON GALES, *Clerk.*

The Speaker announced the Senate branch of the committee in regard to the depreciati n of Confederate currency: Messrs. Harris of Rutherford, Hall and Boner.

The Senate branch of the committee on adjournment: Messrs. Williams and Bynum.

Mr. Winstead, from the committee on Propositions and Grievances, made the following report, viz:

The committee on Propositions and Grievances, to whom was referred "A bill to exempt the Raleigh and Gaston Railroad Company from rebuilding the bridge across the Roanoke at Gaston," report favorably thereon.

Mr. Leach of Davidson, introduced the following resolution, which was passed:

Resolved, That the committee on the Judiciary be instructed to enquire into the propriety of so modifying or amending the law, as more effectually to restrain the crime of horsestealing, and to report by bill or otherwise, such legislation, if any, as may be deemed necessary.

By Mr. Gash: A resolution, viz:

Resolved, That the committee on Finance be instructed to enquire into the expediency and propriety of transferring the funds, now known as the Literary or School Fund, together with that of the Sinking Fund to the State Treasurer, and to abolish all offices pertaining to said funds; and further, to assume the payment of the land taxes due the Federal Government by this State, and report a bill or bills for that purpose.

By the same: A resolution, viz:

Resolved, That the committee on the Judiciary be required to enquire into the necessity of the establishment of a Penitentiary in this State, with authority for the several large and populous counties, whenever the magistrates of the same shall determine it, to establish work houses in their respective counties for the punishment of crime and other purposes.

These resolutions were passed.

A message was received from the House of Commons, proposing to raise a joint select committee of two on the part of the Senate and three on the part of the House, to consider the subject of official salaries and fees generally, and to report a bill fixing them at reasonable and proper rates.

The proposition was concurred in, and the House so informed.

Mr. Bynum introduced the following resolutions, viz:

Resolved, By this General Assembly, (the House of Commons concurring,) that the Provisional Governor be requested to communicate to the General Assembly, whether he has the power conferred upon him by the National Government, to restore the several Courts of the State, with their accustomed jurisdiction.

Resolved, That if he has the power to do so, that the Provisional Governor be requested to restore said Courts,

with their ancient jurisdiction, civil and criminal, subject to limitation and restrictions, as may be imposed by this General Assembly.

The resolutions were adopted and transmitted to the House of Commons for their concurrence.

On motion of Mr. Harris of Rutherford,

The resolution (S. R. 13,) requiring the Librarian to make and publish a catalogue of Books in the Library, was referred to the committee on the Library.

Mr. McEachern, from the committee to superintend the election for Solicitor for the 8th Judicial District, reported as follows:

That the whole number of votes cast was 155. Necessary to a choice 78. Of these Mr. Coleman received 66; Mr. Brown 47; Mr. McAden 23; Mr. Folk 14; and Mr. Candler 4. No one having received a majority of all the votes, there was no election.

The report was concurred in.

Mr. Warren introduced a bill, (S. 14,) to repeal an act entitled "An Act to establish the office of Auditor of Public Accounts" and for other purposes, which was read the first time, passed its first reading, and

On motion of Mr Warren,

Referred to the committee on Finance.

A message was received from the House, proposing to go forthwith into an election for Public Treasurer, and that Messrs. K. P. Battle and William Sloan were in nomination.

The Senate concurring, an election was held in conformity thereto, Messrs. Boyd and Eure superintending, with result as follows:

The following Senators voted for Mr. Battle, viz:

Messrs. Aycock, Blount, Bogle, Boner, Bullock, Covington, Cowper, Donaho, Eure, Faison, Ferebee, Hall, Harris of Franklin, Howard, Keener, Latham, Leitch of Robeson,

McCleese, McEachern, McLean, Morehead, Pitchford, Sanders, Shober, Stanford, Whitford, Wiggins and Wilson—28.

The following Senators voted for Mr. SLOAN, viz:

Messrs. Speaker, Arendell, Black, Boyd, Bynum, Cowles, Garner, Gash, Gorrell, Harris of Rutherford, Isbell, Jones of Columbus, Jones of Wake, Leach of Davidson, Morgan, Snead, Warren and Winstead—18.

An engrossed bill, (H. 4,) concerning the burning of the Register's Books in the county of Burke, was read the first time, passed its first reading and placed on the calendar.

A bill, (S. 4,) to exempt the Raleigh and Gaston Railroad Company from rebuilding the bridge across the Roanoke at Gaston, was read the second time, passed its second reading, and

On motion of Mr. Wiggins,

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

Ordered to be engrossed.

A message was received from the House of Commons proposing to go forthwith into an election for Solicitor of the 8th Judicial District; and that the names of Messrs. Folk and McAden had been withdrawn; Messrs. Coleman, Candler and Brown being still in nomination.

The Senate concurring, of which the House of Commons was informed by message, an election was held, Messrs. Boner and Latham superintending in the Senate, which resulted as follows:

The following Senators voted for Mr. COLEMAN, viz:

Messrs. Aycock, Bynum, Cowper, Donaho, Eure, Faison, Ferebee, Hall, Harris of Franklin, Howard, Keener, Latham, Leitch of Robeson, McCleese, McEachern, McLean, Pitchford, Sanders, Shober, Stanford, Whitford, Wiggins, Williams and Wilson—24.

The following Senators voted for Mr. BROWN, viz:

Messrs. Black, Bogle, Boner, Boyd, Bullock, Covington,

Cowles, Garner, Gorrell, Harris of Rutherford, Isbell, Jones of Columbus, Jones of Wake, Leach of Davidson, Morehead, Morgan, Snead and Winstead—18.

The following Senators voted for Mr. CANDLER, viz:

Messrs. Speaker, Blount and Gash—3.

The Speaker ratified in open Senate the enrolled resolutions in behalf of Hon. Z. B. Vance.

Mr. Eure, from the committee to superintend the election for Public Treasurer, reported as follows:

That the whole number of votes cast was 155. Necessary to a choice 68. Of which Mr. Battle received 89; Mr. Sloan 66. Mr. Battle having received a majority of all the votes cast, was duly elected.

The report was concurred in.

Private Bills, &c., of the titles following, were read first time, passed their first reading and placed on the calendar.

By Mr. Morgan, a bill (S. 1,) to empower the sureties on the official bonds of Josiah R. White, late sheriff of Perquimans county to collect arrears of taxes in said county for the years 1860-'61 and '62.

By Mr. Warren, a resolution (S. P. R. 2,) in favor of W. B. Campbell, late Sheriff of Beaufort county.

The following resolution, introduced by Mr. Gash, was adopted, viz:

Resolved, That the committee on Cherokee Lands and Western Turnpikes, be instructed to enquire into the expediency of selling the Western Turnpike now belonging to the State of North-Carolina, running from Asheville, North-Carolina, to the Georgia and Tennessee lines, and report by bill or otherwise.

Mr. Boner, from the committee to superintend the election for Solicitor for the 8th Judicial District, reported as follows:

That the whole number of votes cast was 149. Necessary to a choice 75. Of which Mr. Coleman received 99; Mr.

Brown 55; Mr. Candler 3; and Mr. McAden 1. Mr. Coleman having received a majority of all the votes cast was duly elected.

The report was concurred in.

On motion of Mr. Harris of Rutherford,

Ordered, That a message be sent to the House of Commons, proposing that when the two Houses adjourn, they adjourn over until Friday morning.

On motion of Mr. Whitford,

Leave of absence was extended to Mr. Hall until Monday next.

On motions of Messrs. Wiggins and Harris of Rutherford,

Similar indulgence was granted to Messrs Aycock and Snead respectively.

On motion of Mr. Leach of Davidson,

Resolved, That a joint select committee of five on the part of the Senate and five on the part of the House of Commons, be appointed to be styled a committee on Federal Relations.

It was so ordered, and the House of Commons informed thereof.

Mr. Warren was excused from serving on the committee on the Insane Asylum, and Mr. Eure substituted in his place.

On motion of Mr. Gorrell,

The Senate adjourned until to-morrow at 10 o'clock.

THURSDAY, DECEMBER 7TH, 1865.

The Senate met at 10 o'clock, and no quorum being present,

On motion of Mr. Leach of Davidson,

The Senate adjourned until to-morrow at 11 o'clock.

FRIDAY, DECEMBER 8TH, 1865.

Prayer by the Rev. A. Smedes, D. D.

The Speaker announced as the Senate branch of the committee on *Federal Relations*, viz:

Messrs. Leach of Davidson, Howard, Warren, Cowper and Isbell.

The following Senators were designated as the Senate branch of the committee on *Salaries and Fees*, viz:

Messrs. Winstead and Hall.

Mr. Wilson, from the committee on Banks and Currency, submitted the following report, viz:

The committee to which was referred the bill to extend the Charter of the Bank of the State of North-Carolina having taken the same under consideration, beg leave to report,

That the charter of the Bank, by its own limitation, will expire on the first day of January, 1866. That the corporation has been in the course of liquidation for several years: that there is a considerable amount of assets, belonging thereto, in the shape of debts, which have not been collected by reason of the interposition of legal impediments during the war, and the depreciation of the currency of the country; that the State is interested in these assets as a stockholder in the corporation; that there is a considerable amount of the issues of the Bank still outstanding in the hands of innocent holders. For these considerations the passage of the bill is respectfully recommended.

The report was concurred in and the bill placed on the calendar.

The committee on the Judiciary to whom was referred "A bill to carry into effect an Ordinance of the Convention in regard to the election of Clerks and Sheriffs," reported the same back to the Senate with the recommendation that it do pass.

Mr. Morehead, from the committee to count the vote cast

at the election in November last for Governor, reported that they have proceeded to perform the duty assigned to them and recommend that the two Houses of this General Assembly assemble in the House of Commons, on Saturday, 9th day of December, 1865, at the hour of 12 M, and then and there, in the presence of both Houses, compare the votes cast for Governor of the State on the day aforesaid.

On motion of Mr. Wilson,

The report was laid on the table, in order that he might introduce an amendment.

Mr. Williams, from the joint select committee on the adjournment of the two Houses, reported as follows, viz:

The joint select committee appointed to consider the time of adjournment of the Legislature have had the same under consideration, and beg leave to report, that situated as we are, there is but little legislation requiring our immediate attention. The Legislature is only provisional and until the State is restored to the Union, or power granted, we have no right to enter upon general legislation. They are informed that there is money sufficient in the Treasury to pay the ordinary expenses of the Government for some time to come, and that there is no immediate necessity for any other tax bill in addition to the one passed by the Convention.

They, therefore, recommend the adoption of the following resolution, viz:

Resolved, That this Legislature do adjourn on Monday next, the 18th inst., at 6 o'clock A. M., to meet again on the first Monday of February next.

All of which is most respectfully submitted.

H. G. WILLIAMS,
Chairman.

The report was concurred in and the resolution adopted.

A message was received from the House of Commons transmitting the names of Messrs. Cameron, Burton, Sharpe,

Hutchinson and Russell as the House branch of the committee on *Federal Relations*.

Also, the following named gentlemen as the House branch of the committee on *Salaries and Fees*, viz:

Messrs. McAden, Harper, Chadwick, Holderby and Kenan.

A message was received from the House of Commons proposing to raise a joint select committee of five on the part of the House and three on the part of the Senate to take into consideration the subject of a *Stay Law*.

The Senate concurred, and Messrs. Jones of Columbus, Wilson and Bynum were designated as the Senate branch of the committee.

Received, from the House of Commons, the following message, viz:

HOUSE OF COMMONS, December 8th, 1865.

MR. SPEAKER:—The House of Commons proposes that the two Houses of the General Assembly, meet in the Hall of the House of Commons on Saturday, the 9th inst., at 12 o'clock, the Speaker of the Senate presiding, for the purpose of counting the vote for Governor.

One person shall be appointed as teller on the part of the Senate and two on the part of the House to count the vote.

The result and the person elected shall be announced by the Speaker of the Senate; which announcement shall be a sufficient declaration of the person elected, and, together with the list of votes, shall be entered on the Journals of the two Houses.

S. F. PHILLIS, *Speaker H. C.*

By order: SEATON GALES, *Clerk*.

Received from the House of Commons an engrossed bill (H. P. B. 6,) to incorporate Stokesbury Lodge, No. 220, of A. Y. M., in the county of Stokes.

The bill was read first time, passed its first reading, and placed on the private calendar.

The Speaker laid before the Senate the following communication from the Secretary of State, viz:

OFFICE OF SECRETARY OF STATE,
December 8th, 1865.

Hon. THOS. SETTLE, *Speaker Senate.*

SIR: I have the honor to acknowledge the receipt of a "Resolution of Enquiry" of the Senate in relation to the books and records heretofore deposited in the Capitol.

I was not aware that they were missing until I received the resolution.

Immediately, however, upon its reception, I made enquiry, and was informed by Mr. Jonathan Worth, that they had been sent to Washington City by Maj. Gen'l. Schofield.

I then addressed Brevet Maj. Genl. Ruger, commanding Dept. of N. C., the following note. (See Document A.)

This morning I received the following in reply. (See Document B.)

As to the prospect of recovering them I am not able to report, Gen'l. Ruger not answering that portion of my note to him.

I am, very respectfully,
Your obt. Servant,
R. W. BEST,
Sec. of State.

[Doc. A.]

OFFICE SECRETARY OF STATE,
Raleigh, December 6th, 1865.

GENERAL:—I herewith transmit to you a copy of a "Resolution of Enquiry," from the Hon. Thomas Settle, Speaker of the Senate.

Upon receiving the aforesaid resolution, I made enquiry,

and was informed that the letter book and public records alluded to, had been sent to Washington, D. C, by order of Maj. General Schofield. I desire to know if such is the fact, and if so, what course I shall pursue to get them.

Please answer immediately.

I have the honor to be,

Very respectfully your ob't serv't,

R. W. BEST,
Secretary of State.

Brevet Maj. General RUGER,
Command'g Department of N. C., Raleigh.

[Doc. B.]

HEADQUARTERS DEPARTMENT OF NORTH-CAROLINA.

Honorable R. W. BEST, *Secretary of State,*
Raleigh, North-Carolina.

SIR:—I have the honor to acknowledge the receipt of your letter of the 6th inst., transmitting a "Resolution of Inquiry of the Senate of the State of North-Carolina in relation to the disposition made of the Letter Book of the Governor and other Public Records heretofore deposited in the Capitol and since removed by military authority," and to state, in reply, that the Letter Book and other Public Records were forwarded, the 2d of June, 1865, by my predcessor, to the Headquarters of the Armies of the United States, Washington, D. C.

Very respectfully,
Your obedient servant,
THOS. H. RUGER,
Brev. Maj. Gen. Commanding.

The following resolutions were introduced and severally adopted, viz:

By Mr. Covington,

Resolved, That the committee on Military Affairs be instructed to ascertain whether or not arms and ammunition,

one or both, can be immediately obtained, with a view of enabling the militia in the State (recently organized in each county, under an Ordinance of the Convention, as auxiliaries to the public authorities) to more effectually suppress any insurrectionary movement on the part of "Free Negroes," should they attempt it, and report by bill or otherwise.

By Mr. Wilson,

Resolved, (the House of Commons concurring,) That the committee appointed to count the votes polled for Governor in November last, be instructed to make arrangements for the administration of the oaths of office to the Governor elect, at the same time the returns are opened and the votes counted.

By Mr. Warren,

Resolved, That it be referred to the joint select committee on the subject of *Salaries and Fees* to ascertain and report a proper compensation for the Judges or any of them for services rendered under the Ordinance of the Convention, "to protect the owners of property and for other purposes."

Bills and resolutions of the titles following, were introduced, read the first time, passed the first reading and disposed of as follows, viz:

By Mr. McEachern, a resolution (S. P. R. 4,) in favor of Daniel Coleman, Administrator of Josiah L. Bundy, deceased, late Sheriff of the county of Cabarrus. Placed on the private calendar.

By Mr. Jones of Columbus, a bill (S. P. 5,) to exempt certain hands from working on the public roads. Referred to the committee on Proposition and Grievances.

By Mr. Eure, a bill (S. 16,) to extend the time allowed to widows to enter their dissent to the last will and testament of their husbands. Judiciary.

Mr. Morehead introduced the following resolution which was adopted, viz:

Resolved, That it be referred to the committee on the Judiciary, to inquire into the expediency of enabling the

collection of taxes, which were not paid within the fiscal years when due.

An engrossed bill (H. 4,) concerning the burning of the Register's Books in the county of Burke, came up for consideration, upon its second reading.

Mr. Faison moved the following amendments, and they were severally adopted.

1st Amendment: Add to the title the words "*and the destroying of the Records and unregistered papers by the Federal army, in the Register's office in the County of Sampson.*"

2d. After the word "*papers,*" in the preamble, insert the words, "*also the destroying of records and unregistered papers by the Federal army in the Register s office in the county of Sampson.*"

3d. In the third section, strike out the word "*county,*" where it first occurs, and insert the word "*counties,*" and after the word "*Burke,*" where it first occurs, insert the words "*and Sampson ;*" also, strike out the word "*county,*" in the parenthesis, and insert the word "*counties,*" and after the word "*Burke,*" in the parenthesis, insert the words "*and Sampson.*"

4th. In the fourth section strike out the word "*county,*" where it last occurs, and insert the word "*counties,*" and after the word "*Burke,*" insert the words "*and Sampson.*"

The bill as amended passed its second reading, and,

On motion of Mr. Bynum,

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

Ordered to be sent to the House of Commons, asking concurrence in the amendments.

The following message was received from the House of Commons, which was concurred in, viz:

HOUSE OF COMMONS,
Dec. 8th, 1865.

MR. SPEAKER:

Upon recommendation of the joint committee on the Insane Asylum, the House of Commons elected the following named gentlemen as Directors of that Institution, and ask the concurrence of the Senate therein, viz:

M. F. ARENDELL,	Carteret	County.
JOSEPH KEENER,	Jackson	"
ISAAC N. SANDERS,	Onslow	"
H. M. WAUGH,	Surry	"
R. W. ALLISON,	Cabarrus	"
W. H. WHEELER,	Forsythe	"
GILES LEITCH,	Robeson	"
M. L. HOLMES,	Rowan	"
W. K. LANE,	Wayne	"
A. H. DAVIS,	Halifax	"
A. D. McLEAN,	Harnett	"
RUFFIN WILLIAMS,	Wake	"
HENDERSON HODGE,	Wake	"
W. D. JONES,	Wake	"
W. S. MASON,	Wake	"

S. F. PHILLIPS, S. H. C.

By order: SEATON GALES, *Clerk.*

A message was received from the House of Commons concurring in the resolution to adjourn on Monday, the 18th inst., to meet again on the first Monday of February next.

A bill (S. 2,) to extend the charter of the Bank of the State of North-Carolina, was taken from the calendar and placed upon its second reading and passed its second reading, and

On motion of Mr. Wilson,

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

Ordered to be engrossed.

A message was received from the House of Commons, concurring in the proposition of the Senate, directing the committee to count the vote for Governor to make arrangements for the administration of the oaths of office to the Governor elect.

The Speaker ratified in open Senate the following resolutions, viz:

Resolutions declaring the loyalty of the people of North-Carolina.

Resolution concerning the *per diem* and mileage of the Officers and Members of this Legislature.

On motion of Mr. Latham,

Leaves of absence were granted to Mr. Jones of Wake, until Monday next, and to Mr. Harris of Franklin, until Wednesday next.

On motions of Messrs. Stanford and Arendell,

Leaves of absence were granted, respectively, to Messrs. Williams and Boyd until Monday next.

Whereupon it being 1 o'clock,

On motion of Mr. Boyd,

The Senate adjourned until to-morrow morning at 11 o'clock.

SATURDAY, DECEMBER 9TH, 1865.

Prayer by the Rev. Henry Hardie.

A message was received from the House of Commons, proposing to go into an election of seven Counsellors of State on Monday next, at 12 o'clock.

The message was concurred in.

Also a message announcing the following gentlemen as constituting the House branch of the committee on the

Stay Law, viz: Messrs. Waugh, McNair, Jones, Farrow and Whitley.

And the following as the House committee to count and compare the vote for Governor, viz: Messrs. Waugh and Wheeler.

The Speaker designated Mr. Morehead as the teller on the part of the Senate to count and compare the vote for Governor.

Reports of standing committees were filed as follows:

Mr. Warren, from the committee on the Judiciary, reported back the resolution of Mr. Gash, concerning the establishment of a penitentiary, with the request that they be discharged from the further consideration, inasmuch as in the opinion of the committee it is inexpedient to legislate upon the subject at the present time.

The Senate concurred.

By Mr. Warren, from the same committee, (S. 9,) a bill "to establish a homestead freehold from execution, by exempting from execution a certain portion of the land of any citizen of the State of North-Carolina," with a recommendation that the same do not pass.

By Mr. Warren, from the same committee, the resolution of Mr. Pitchford upon the subject of the salaries of the Supreme and Superior Court Judges of the State, with the recommendation that the same be referred to the committee on *Salaries and Fees*. The Senate concurred.

Mr. Bynum, from the same committee, submitted the following special report, viz:

The majority of the committee on the Judiciary, to which was referred the joint resolution of this General Assembly, touching the amendment to the Constitution of the United States, ratified at the present session, and known as the 13th article, having considered the same, beg leave to report:

This General Assembly has ratified the following amendment to the Constitution of the United States, to wit:

Sec. 1. "Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States or any place subject to their jurisdiction.

Sec. 2. Congress shall have power to enforce this article by appropriate legislation.

It is clear that no after action of this body, can change the legal effect of this amendment, or enlarge or restrict the powers of Congress conferred either by the 1st or 2d sections thereof. The subject has passed beyond the control of this body, and has become a matter of judicial interpretation only.

It is plain to this committee and to the people of North-Carolina, and as this committee believes, to every fair minded statesman and jurist, North and South, that this amendment confers no power on Congress to legislate upon the subject of freedmen, within the States. While, however, the legal effect of this amendment, is so plain to us, the majority of the committee, cannot shut their eyes to contemporaneous history. The power to legislate within the States, founded on this amendment, is now claimed, in and out of Congress, by statesman and lawyers, eminent for their abilities and forminable for their numbers, zeal and influence.

The tribunal appointed by the Constitution for its own interpretation, has not always proved a barrier to legislative encroachments; nor can the majority of this committee undertake to say, that it will hereafter prove a safe-guard to the reserved rights of the States.

Mindful, therefore, of the encroachments of power, of the momentous issues involved, and conscious of the rectitude of their own intentions, the majority of the committee, in discharge of a plain duty to themselves, to posterity and the truth of history, desire to spread before the country, in the most solemn form, they sense in which they, and, as

they believe the people of the State, through them, have accepted and ratified this amendment to the Constitution of the United States.

They, therefore, report back and recommend the adoption of the following joint resolution.

W. P. BYNUM,

For Majority of Committee.

Resolved, by the General Assembly of the State of North-Carolina, That we have accepted and ratified the said amendment, in the sense given to it by the Hon. William Seward, Secretary of State of the United States, to-wit: That it does not enlarge the powers of Congress to legislate on the subject of freedmen, within the States.

On motion of Mr. Leitch of Robeson,

Ordered, That the report be printed and made the special order for Wednesday next at 12 o'clock.

Mr. Wiggins, from the joint standing committee on Finance, reported back, a bill (S. 14,) to repeal an act entitled "An act to establish the office of Auditor of Public Accounts," and for other purposes, with an amendment, recommending its passage.

Mr. Winstead, from the committee on Propositions and Grievances, reported back an engrossed bill, (H. 3,) to amend an act passed at the session of the General Assembly of 1860-'61, entitled "An act to appoint tax collectors for Bertie and other counties," with a recommendation that it do pass.

Mr. Blount, from the same committee, reported back a bill, (S. P. 5,) to exempt certain hands from working the public roads, with a recommendation that it do pass.

Mr. Gash, from the committee on Cherokee Lands and Western Turnpikes, reported back a bill (S. 12,) to amend an act passed at the session of 1854-'55, entitled "An Act to incorporate the Little River Turnpike Company," recommending its passage.

Mr. Ferebee, from the committee on Military Affairs, stated that in accordance with the resolution introduced by the Senator from Union and Anson, (Mr. Covington,) on yesterday, the committee had called upon Maj. General Ruger, commanding the Department of North-Carolina, in reference to the arming and supplying ammunition to the militia of the State, but that they were unable to see that officer. They had requested a reply to be sent to the resolution of inquiry this morning, but none had yet been received. The committee were consequently unable to report.

Mr. Jones of Columbus, introduced the following resolution, which was adopted.

Resolved, That a message be sent to the House of Commons proposing to raise a joint select committee of five, two on the part of the Senate, and three on the part of the House to inquire into the ownership of the Piedmont Railroad; that they report the charter, if any, under which it was incorporated; the stockholders therein; with what funds it was built; how they were supplied with funds, and especially the property in said Company which belonged to the Confederate States and to individuals; that for these purposes the committee have power to send for persons and papers; to examine witnesses on oath, if necessary, and report to this or the adjourned session of the Legislature.

Bills of the titles following, then being introduced and read, passed the first reading, and other proceedings were had, as follows, viz:

By Mr. Latham: a bill, (S. 17,) providing for the holding of courts in the county of Washington. Filed on the calendar.

By Mr. Bynum: a bill, (S. 18,) for the relief of such persons as may suffer from the destruction of records and other documents and papers.

On motion of Mr. Bogle,

Referred to the committee on the Judiciary.

By Mr. Latham: a bill (S. 19,) for the relief of such persons as may suffer from the burning of the Court House and records of Washington county.

On motion of Mr. Latham,

The rules were suspended, and the bill passed its second and third readings.

Ordered to be engrossed.

On motion of Mr. Leitch of Robeson,

Mr. McLean obtained leave of absence until Wednesday.

A message was received from the House of Commons proposing to rescind the joint order providing for the administering the oaths of office to the Governor elect, when the votes are counted.

The Senate concurred, there being counted yeas 15, nays 13.

The hour of 12 o'clock having arrived, the Senate repaired to the hall of the House of Commons for the purpose of comparing and counting the vote for Governor.

The Speaker of the Senate presiding over the Convention, announced the business before the two Houses.

The returns were thereupon opened by the Speaker of the Senate, who read aloud the report from each county.

The returns were immediately entered, in separate columns, opposite the names of the several counties, and read aloud to the Convention by Mr. Morehead, the teller on the part of the Senate, as follows, viz:

Counties.	Worth.	Holden.	Vance.	Scat'ring.
Alamance,	619	451		
Alexander,	280	229		
Alleghany,	39	261		
Ashe,	284	472		
Beaufort,	314	427		
Bertie,	76	364		

Counties.	Worth.	Holden.	Vance.	Scat'ring.
Bladen,	416	90		
Buncombe,	424	568		
Burke,	218	434		
Cabarrus,	287	295		
Caldwell,	238	251		
Camden,	340	22		
Carteret,	272	256		
Caswell,	185	405		22
Catawba,	715	316		
Chatham,	707	911		
Cherokee & Clay,	241	395	48	
Chowan,	227	58		
Cleaveland,	368	302		
Columbus,	208	285		
Craven,	667	206		
Cumberland,	642	291		
Currituck,	299	72		
Davidson,	633	474		
Davie,	390	103		
Duplin,	462	161	20	
Edgecombe,	426	56		
Forsythe,	1,110	68		
Franklin,	526	104	30	52
Gaston,	163	416		
Gates,	298	35		
Granville,	611	564		
Greene,	217	269		
Guilford,	1,216	518		
Halifax,	506	135		
Harnett,	240	358		
Haywood,	282	302	28	
Henderson & Transylvania,	240	658		

Counties.	Worth.	Holden.	Vance.	Scat'ring.
Hertford,	193	66		
Hyde,	169	71		
Iredell,	721	349		
Jackson,	167	276	34	
Johnston,	138	844		
Jones,	126	29		
Lenoir,	316	284		
Lincoln,	309	295		
Macon,	188	99		
Madison,	29	456		
Martin,	333	61		
McDowell,	257	270		
Mecklenburg,	534	353		
Montgomery,	409	224		
Moore,	489	512		
Nash,	220	263		
New-Hanover,	764	114		
Northampton,	192	285		
Onslow,	251	86		
Orange,	988	264	3	
Pasquotank,	289	146		
Perquimans,	242	92	19	
Person,	227	353		
Pitt,	473	145	12	
Randolph,	640	652		
Richmond,	404	129		
Robeson,	620	243		
Rockingham,	571	278		
Rowan,	570	341		
Rutherford & Polk,	136	556		
Sampson,	449	208		
Stanly,	339	286		
Stokes,	265	452		
Surry,	329	616		

Counties.	Worth.	Holden.	Vance.	Scat'ring.
Tyrrell,	293	16		
Union,	366	298		
Wake,	453	1,702		
Warren,	525	46		
Washington,	189	92		
Watauga,	287	211		
Wayne,	652	92		
Wilkes,	283	883		
Wilson,	297	211		
Yadkin,	406	399		
Yancey & Mitchell,	119	533		
	31,643	25,704	195	74

No official returns received from the counties of Anson and Brunswick.

The returns being completed, the tellers retired, and returning, (through Mr. Morehead,) reported to the Convention that the whole number of votes cast was 57,616; of which Jonathan Worth received 31,643; William W. Holden received 25,704, and that there were scattering 269; that the majority for Jonathan Worth was 5,939; that the said Jonathan Worth is therefore duly elected.

The committee further recommend, that the names of the counties be arranged in alphabetical order, with the number of votes cast by each, and spread upon the journals of each House.

The report was concurred in.

Whereupon the Speaker of the Senate repeated the same report and said, "There being no dissent, I declare Jonathan Worth has been duly elected Governor of North-Carolina under an Ordinance of the Convention, from such time as the Provisional Government shall terminate, either before the first day of January, 1866, or afterwards, before the first of

January, 1867; provided, however, the authority of the Provisional Government shall cease before the said first day of January, 1867.

The Senate, then, returned to its own Chamber and resumed its session.

Mr. Gash, from the committee on Cherokee Lands and Western Turnpikes, to which was referred a resolution of inquiry into the expediency of selling out the Western Turnpike, reported a bill (S. 20,) to amend an act passed at the session of 1848–'49, to provide for a Turnpike Road from Salisbury west to the lines of the State of Georgia, &c., (generally known as the Western Turnpike Road,) with the recommendation that it lie over until the first Monday in Februry next.

The report was concurred in, and the bill read, passed its first reading and filed on the calendar.

Mr. Gash introduced the following resolution, viz:

Resolved, That the committee on Banks and Currency be required to inquire whether there be any legislation necessary to enable the banks in this State to resume business or to wind up their affairs; also whether it would require any legislation to authorize the several Railroad Companies in this State to establish National Banks under the acts of Congress, provided they can procure the bonds necessary to enable them to do so, by exchange of their bonds or otherwise, for United States bonds.

Adopted.

A message was received from the House of Commons concurring in the proposition to raise a joint select committee to inquire into certain matters connected with the Piedmont Railroad. Messrs. Smith of Columbus, Murphy and Allison constitute the House branch of the committee.

Whereupon it being 2 o'clock and 15 minutes,

On motion of Mr. Bogle,

The Senate adjourned until 11 o'clock on Monday.

MONDAY, DECEMBER 11TH, 1865.

Prayer by the Rev. Mr. Lacy, D. D.

The Speaker designated Messrs. Morehead and Jones of Columbus as the Senate branch of the committee on the *Piedmont Railroad.*

On motion of Mr. Ferebee,

Ordered, That a message be sent to the House of Commons proposing to rescind the joint order to go into the election of seven Counselors of State to-day at 12 o'clock.

Mr. Bynum introduced the following preamble and resolution to ascertain what portion of the public debt was incurred in aid of the late rebellion.

WHEREAS, By an ordinance of the late Convention, ratified the 19th day of October, 1865, it is made the duty of the General Assembly to provide for the payment of all debts and obligations created or incurred by the State, otherwise than in aid of the late rebellion.

AND WHEREAS, By the same ordinance all debts and obligations, created or incurred by the State in aid of the late rebellion, directly or indirectly, are declared void, and the General Assembly is prohibited from assuming or providing for the payment of the same or any portion thereof.

AND WHEREAS, Much doubt and uncertainty prevail to the injury of public creditors and others, and to the hindrance of correct legislation in the premises, as to what debts and obligations of the State, are in force, and what are void.

Therefore resolved, That the joint standing committee on Finance be instructed to inquire and report by bill or otherwise, what portion of the debts and obligations of the State, was made in aid of the late rebellion and therefore void, and what portion was made not in aid of the late rebellion, and therefore to be provided for.

Adopted.

Mr. Jones introduced the following preamble and resolution concerning what laws of the State are in force or ought to be repealed:

WHEREAS, It is declared by an ordinance passed during the recent session of the Convention, that "all the laws of the State, except as hereinafter is excepted, which, on the twentieth day of May, eighteen hundred and sixty-one, were compatible with the allegiance of the citizens of the State to the government of the United States, and not since repealed or modified; and all the laws and ordinances passed since that day, except as hereinafter excepted, compatible with such allegiance, and not since repealed or modified, and which are consistent with the Constitution of the State and the United States, are hereby declared to have been, at all times since their enactment, and now to be in full force in like manner and to the same extent, and not otherwise, as if the State had not, on that day, nor at any time since, attempted to secede from the government of the United States, and as if no question had been made of the lawful authority of the Convention assembled on that day, or of any General Assembly assembled since that day, to enact such laws and ordinances, and all other of said ordinances and laws are hereby declared to have been and to be null and void: *Provided, however*, That nothing herein contained shall be so construed as to prevent the General Assembly from repealing or modifying any of said laws and ordinances hereby ratified, which shall not form a part of the Constitution of the State."

AND WHEREAS, Many laws and ordinances passed in anticipation of and during the recent war are thus annulled, and others there be of which doubts may arise, whether they are annulled; and many which are not thus annulled, but ought to be repealed.

Be it therefore resolved by the General Assembly, That the committee on the Judiciary be instructed to report a bill

declaring what part of the laws and ordinances passed since the first day of January, 1861, are annulled by the said ordinance, and what part not thus annulled, ought to be repealed, and provide in said bill for repealing them.

Be it further resolved, That they report to this or the adjourned session of the Legislature.

Adopted.

A message was received from the House of Commons informing the Senate that they had not concurred in the resolution asking information of the Governor relative to the restoration of the several courts, with their ancient jurisdiction.

A message was received also informing the Senate of the concurrence of the House of Commons in the amendments to the engrossed bill, (H. 4,) concerning the burning of the Registers Books, in the county of Barke.

Ordered to be enrolled.

Bills, etc., of the titles following were introduced, read, passed first reading and were referred or otherwise disposed of as follows, viz:

From the House of Commons: An engrossed bill, (H. 23,) to provide for the payment of the State debt contracted before the war.

On motion of Mr. Morehead,

Ordered to be printed.

By Mr. Morehead: A bill, (S. 22,) to prevent horse stealing. Placed on the calendar.

By the same: A bill, (S. 23,) to provide for the poor. Filed on the calendar.

By Mr. Wilson: A bill, (S. 24,) to incorporate the Mining, Manufacturing and Improvement Company. To the committee on Corporations and ordered to be printed.

By the same: A bill (S. 25,) to incorporate the American Industrial Agency. Same reference and order.

By Mr. Arendell: A resolution (S. P. R. 6,) in favor of

George Dill, late Sheriff of Carteret county. Filed on the private calendar.

By Mr. Cowles: A bill (S. 26,) to repeal section 3d of an ordinance of the Convention, to raise revenue. Finance.

By Mr. Morehead: A bill (S. 27,) to enable Sheriffs to collect arrearages of taxes. Filed.

Mr. Eure introduced the following resolution, viz:

Resolved, That the Judiciary committee be instructed to inquire if any, and if any, what legislation is required for the relief of guardians and other persons holding funds in trust, who have invested such funds in Confederate stocks and in State stocks now repudiated by the ordinance of the Convention, and that they report by bill or otherwise.

Adopted.

Received a message from the House of Commons declining to concur in the proposition to rescind the joint order to go into the election of seven Counsellors of State to-day at 12 o'clock.

Also a message asking the concurrence of the Senate in the following resolution, viz:

Resolved, (the Senate concurring,) That a joint committee, consisting of five, three from the House and two from the Senate, be appointed by the Speakers to notify the Governor elect of his election and make arrangements for administering the oaths of office before the recess of the General Assembly.

The Senate concurred, and the Speaker designated Messrs. Bynum and Faison as the Senate branch of the committee.

S. 11, bill to repeal an act entitled "An act to establish the office of Auditor of Public Accounts," and for other purposes, was read the second time, and the question being on the amendment proposed by the joint standing committee on Finance.

And it was adopted.

On motion of Mr. Warren,

The rules were suspended, and the bill was read the third time, and the question being thereon,

Mr. Cowper moved to amend by striking out "two thousand," and inserting "one thousand five hundred."

And pending the question,

The Speaker announced the hour for the special order, viz: the election for seven Counsellors of State.

A message was sent to the House of Commons, informing them that the Senate would proceed to comply with the joint order upon the return of the messenger.

Mr. Bullock nominated Mr. P. H. Winston, 1st District.
Mr. Garner nominated Mr. Jesse J. Yeates, 1st "
Mr. Cowles nominated Mr. D. M. Carter, 1st "
Mr. Stanford nominated Mr. James Dickson, 2d "
Mr. Arendell nominated Mr. J. M. Parrott, 2d "
Mr. Whitford nominated Mr. W. A. Wright, 2d "
Mr. Leitch of Robeson, nominated Mr. N. A. McLean, 3d "
Mr. Faison nominated Dr. H. A. Bizzell, 3d "
Mr. Sanders nominated D. L. Russell, Sr., 3d "
Mr. Gorrell nominated Hon. A. Dockery, 3d "
Mr. Covington nominated Mr. J. R. Hargrave, 3d "
Mr. Pitchford nominated Mr Wm. Eaton, Jr., 4th "
Mr. Black nominated Hon. R. P. Dick, 5th "
Mr. Boner nominated Mr. H. A. Lemley, 5th "
Mr. Wilson nominated Mr. W. J. Yeates, 6th "
Mr. Shober nominated Mr. Wm. Murphy, 6th "
Mr. Bogle nominated Mr. C. J. Cowles, 6th "
Mr. Keener nominated Hon. A. T. Davidson, 7th "
Mr. Isbell nominated Mr. R. L. Patterson, 7th "

The Senate then proceeded to vote, under the superintendence of Messrs. Arendell and Faison, with result as follows, viz:

The following Senators voted for Mr. Patterson, viz:

Messrs. Speaker, Arendell, Black, Blount, Bogle, Boner, Boyd, Bullock, Bynum, Cowles, Cowper, Eure, Gash, Isbell, Leitch of Robeson, McCleese, McEachern, Morehead, Morgan, Pitchford, Sanders, Shober, Snead, Warren, Whitford, Williams, Wilson and Winstead—28.

The following Senators voted for Mr. EATON, viz:

Messrs. Aycock, Blount, Boner, Bullock, Bynum, Covington, Cowper, Eure, Faison, Ferebee, Howard, Latham, Leitch of Robeson, McCleese, McEachern, Morehead, Pitchford, Sanders, Shober, Whitford, Wiggins and Wilson—22.

The following Senators voted for Mr. LEMLEY, viz:

Messrs. Arendell, Aycock, Blount, Boner, Bullock, Bynum, Covington, Cowper, Eure, Faison, Ferebee, Gorrell, Latham, McCleese, Morehead, Sanders, Shober, Warren, Whitford and Wiggins—20.

The following Senators voted for Mr. PARROTT, viz:

Messrs. Speaker, Arendell, Black, Blount, Bogle, Boner, Bullock, Cowles, Garner, Gash, Gorrell, Isbell, Jones of Columbus, McEachern, Morehead, Morgan, Pitchford, Snead, Warren and Winstead—20.

The following Senators voted for Mr. WINSTON, viz:

Messrs. Aycock, Blount, Boner, Bullock, Covington, Eure Faison, Ferebee, Latham, Leitch of Robeson, McCleese, McEachern, Morehead, Pitchford, Sanders, Stanford, Whitford, Wiggins and Wilson—19.

The following Senators voted for Mr. COWLES, viz:

Messrs. Speaker. Black, Bogle, Boyd, Bynum, Covington, Cowles, Garner, Gash, Gorrell, Harris of Rutherford, Isbell, Jones of Columbus, Morgan, Snead, Stanford, Warren and Williams—18.

The following Senators voted for Mr. WRIGHT, viz:

Messrs. Aycock, Bynum, Cowper, Eure, Ferebee, Howard, Keener, Latham, Leitch of Robeson, McCleese, Sanders, Shober, Whitford, Wiggins, Wilson and Winstead—16.

The following Senators voted for Mr. RUSSELL, viz:

Messrs. Speaker, Arendell, Blount, Bogle, Boner, Bullock, Cowles, Eure, Garner, Gash, Jones of Columbus, McCleese, Sanders, Shober, Warren and Whitford—16.

The following Senators voted for Mr. DICK, viz:

Messrs. Speaker, Black, Bogle, Cowles, Garner, Gash, Isbell, Jones of Columbus, McEachern, Morgan, Snead, Warren, Williams, Wilson and Winstead—15.

The following Senators voted for Mr. MURPHY, viz:

Messrs. Arendell, Blount, Boner, Bullock, Eure, Howard, Keener, McCleese, Morehead, Pitchford, Sanders and Shober—12.

The following Senators voted for Mr. J. J. YEATES, viz:

Messrs. Black, Bynum, Cowper, Garner, Gash, Howard, Isbell, Jones of Columbus, Keener, Williams and Winstead—11.

The following Senators voted for Mr. CARTER, viz:

Messrs. Speaker, Arendell, Bogle, Boyd, Cowles, Gorrell, Harris of Rutherford, Morgan, Shober, Snead and Warren—11.

The following Senators voted for Mr. DAVIDSON, viz:

Messrs. Aycock, Faison, Ferebee, Howard, Keener, Latham, Leitch of Robeson, Pitchford, Stanford, Wiggins and Winstead—11.

The following Senators voted for Mr. W. J. YEATES, viz:

Messrs. Aycock, Cowper, Faison, Ferebee, Latham, Leitch of Robeson, McEachern, Whitford, Wiggins and Wilson—10.

The following Senators voted for Mr. DOCKERY, viz:

Messrs. Black, Boyd, Bynum, Covington, Gorrell, Harris of Rutherford, Isbell, Morgan and Snead—9.

The following Senators voted for Mr. BIZZELL, viz:

Messrs. Aycock, Faison, Ferebee, Keener, Latham, Stanford, Wiggins and Williams—8.

The following Senators voted for Mr. MCLEAN, viz:

Messrs. Cowper, Howard, Leitch of Robeson, McEachern, Morehead, Pitchford and Wilson—7.

The following Senators voted for Mr. DRAKE, viz:

Messrs. Cowles, Garner, Isbell, Jones of Columbus, Stanford, Williams and Winstead—7.

The following Senators voted for Mr. DICKSON, viz:

Messrs. Bogle, Covington, Faison, Stanford and Williams—5.

The following Senators voted for Mr W. W. LENOIR, viz:

Messrs. Garner, Gash, Jones of Columbus and Keener—4.

The following Senators voted for Mr. W. S. MASON, viz:

Messrs. Arendell, Black and Morgan—3.

The following Senators voted for Hon. J. T. LEACH, viz:

Messrs. Boyd, Gorrell and Harris of Rutherford—3.

The following Senators voted for Hon G. W. LOGAN, viz:

Messrs. Speaker and Harris of Rutherford—2.

The following Senators voted for Mr. J. R. HARGRAVE, viz:

Messrs. Covington and Stanford—2.

The following Senators voted for Mr. HENRY ADAMS, viz:

Messrs. Boyd and Harris of Rutherford—2.

The following Senators voted for JOHN NORFLEET, viz:

Messrs. Boyd and Morgan—2.

Mr. Gorrell voted for Mr. D. F. Caldwell.

Mr. Sneed voted for Mr. L. Eldridge.

The Senate resumed the consideration of S. 14, the question being on the amendment of Mr. Cowper to strike out "*two thousand*," and insert "*one thousand five hundred*," and the question thereon was put, and

Decided in the negative, { Yeas.....19 / Nays.....20

On motion of Mr. Wiggins,

The yeas and nays being ordered,

The following voted in the affirmative, viz:

Messrs. Aycock, Black, Bullock, Cowper, Eure, Faison, Ferebee, Gash, Gorrell, Howard, Keener, Latham, McCleese, Pitchford, Sanders, Snead, Stanford, Wiggins and Winstead.

And the following voted in the negative, viz:

Messrs. Arendell, Blount, Bogle, Boner, Boyd, Bynum

Covington, Cowles, Garner, Harris of Rutherford, Jones of Columbus, Leitch of Robeson, McEachern, Morehead, Morgan, Shober, Warren, Whitford, Williams and Wilson.

The question now recurring on the passage of the bill,

Mr. Wiggins moved to amend, by striking out "one thousand two hundred" as the salary to be paid to the clerk, and insert "one thousand;" and the amendment did not prevail, there being counted yeas 16, nays 20

The question again recurring on the passage of the bill, was put and

Decided in the affirmative, { Yeas ..... 26 / Nays 13

On motion of Mr. Cowper,

The yeas and nays being ordered,

The following voted in the affirmative, viz:

Messrs. Arendell, Black, Blount, Bogle, Boner, Boyd, Bullock, Bynum, Covington, Cowles, Garner, Gash, Harris of Rutherford, Jones of Columbus, Leitch of Robeson, McEachern, Morehead, Morgan, Sanders, Shober, Snead, Warren, Whitford, Williams, Wilson and Winstead.

And the following in the negative, viz:

Messrs. Aycock, Cowper, Enre, Faison, Ferebee, Gorrell, Howard, Keener, Latham, McCleese, Pitchford, Stanford and Wiggins.

So the bill passed the third reading.

Ordered to be engrossed.

Whereupon it being 1 o'clock and 45 minutes,

On motion of Mr. Jones of Columbus,

The Senate adjourned until 10 o'clock to-morrow.

TUESDAY, DECEMBER, 12TH, 1865.

Mr. Winstead, from the committee on Propositions and Grievances, to which was referred two petitions relative to freedmen in the counties of Buncombe and Transylvania,

having considered the same, reported them back to the Senate, and asked to be discharged from their further consideration.

The report was concurred in.

Mr. Harris of Rutherford, from the committee on the depreciation of the Confederate currency, submitted the following report, which was concurred in:

REPORT OF COMMITTEE RELATIVE TO THE DEPRECIATION OF CONFEDERATE CURRENCY.

The joint select committee, to whom was referred a resolution on the scale of depreciation of Confederate currency, state that they have had the same under careful consideration, and, after mature deliberation, ask leave to submit the following report:

The Confederate prices of money from May 1st, 1861, to May 1st, 1865.

Months.	1861.	1862.	1863.	1864.	1865.
January,	—	$1.20	$3.00	$21.00	$50.00
February,	—	1.30	3.00	21.00	50.00
March,	—	1.50	4.00	23.00	60.00
April,	—	1.50	5.00	20 00	100.00
May,	$1.10	1 50	5.50	19.00	—
June,	1.10	1.50	6.50	18.00	—
July,	1.10	1.50	9.00	21.00	—
August,	1.10	1 50	14.00	23.00	—
September,	1.10	2.00	14.00	25.00	—
October,	1.12	2.00	14.00	26.00	—
November,	1.15	2.50	15.00	30.00	—
December,	1.20	2.50	20.00	—	—
December 1st to 10th,				35.00	—
" 10th to 20th,				42.00	—
" 20th to 30th,				49 00	—

This scale includes the entire month, from the first to the last day, except the month of December, 1864, which is divided into three parts, on account of its rapid depreciation.

C. L. HARRIS, *for the Committee.*

Mr. Warren, from the committee on the Judiciary, to which was referred a bill (S. 16,) to extend the time allowed to widows to enter their dissent to the last will and testament of the husbands, reported the same back, with a recommendation that it do not pass.

Mr. Covington introduced the following resolution, viz:

Resolved, That the Judiciary committee enquire if there is a general law authorizing a less number of Justices than a majority to constitute a quorum for the transaction of county business, and if not to take into consideration the propriety of enacting that a definite number, say twelve or fifteen, shall constitute a quorum to do any county business, unless by law otherwise specifically ordered, and that they report by bill or otherwise.

Adopted.

Bills, etc., of the titles following, were introduced, read, passed first reading and other proceedings had, as follows, viz:

By Mr. Black: A bill (S. 28,) to repeal sec. 3, chapter 39, of an act passed at the first session 1860–'61, entitled "An act to diminish costs in Equity sales for partition." Referred to the Judiciary.

By Mr. Bynum: A bill (S. 29,) for the relief of all persons that may suffer from the destruction of records and other papers during the war. To the Judiciary.

By Mr. McCleese: A bill (S. 30,) to extend the time for registering deeds and other conveyances. Filed.

By Mr. Latham: A bill (S. 31,) to amend sec. 3, chapter 86 of the Revised Code.

On motion of Mr. Latham,

The rules were suspended and the bill passed its second and third readings.

Ordered to be engrossed.

From the House of Commons: An engrossed bill (H. 29,) to qualify the Superior Court Clerks lately elected.

On motion of Mr. Bogle,

The rules were suspended and the bill passed its second reading, and was read the third time, when

On motion of Mr. Wilson,

Referred to the Judiciary.

Pending the above question,

On motion of Mr. Wilson,

Leave of absence for the balance of the day was granted to Messrs. Speaker, Morehead and Leach of Davidson, who were called from the Chamber on important bnsiness.

Mr. Arendell, from the committee to superintend the election for seven counsellors of State, submitted the following report, viz:

The whole number of votes cast was 137. Necessary to a choice 69, of which Wm. Eaton, Jr., received 86; D. L. Russell, Sr., 67; H. A. Lemley 66; J. J. Yeates 58; W. A. Wright 52; C. J. Cowles 47; R. L. Patterson 47; J. M. Parrott 41; P. H. Winston 41; Wm. Murphy 36; W. W. Lenoir 35; D. M. Carter 33; J. T. Leach 23; J. R. Hargrave 22; E. J. Hale, Sr., 21; W. J. Yeates 19; A. T. Davidson 17; H. A. Bizzell 18; D. F. Caldwell 21; E. J. Yellowley 17; R. P. Dick 16; T. Allison 14; Miller 13; A. Dockery 12; B. M. Baxter 10; J. A. Drake 10; N. A. McLean 7; James Dickson 5; W. S. Mason 4; N. M. Roan 4; Mr. Wadsworth 4; John Norfleet 3; H. Adams 3; L. Eldridge 3; G. W. Logan 2. Mr. Eaton having received a majority of the whole number cast was duly elected.

The report was concurred in.

An engrossed bill (H. 9,) to authorize the construction of a bridge across the French Broad River in the county of Buncombe, transmitted by message from the House of Commons, was read the first time, passed first reading, and

On motion of Mr. Gash,

The rules were suspended, and the bill passed its second and third readings, and

Ordered to be enrolled.

On motion of Mr. Cowles,

Ordered, That a message be sent to the House of Commons proposing to go into an election for six Counsellors of State.

On motion of Mr. Latham,

S. 17, a bill providing for the holding of Courts in the county of Washington, was taken from the calendar and placed upon its second reading, and being read,

Passed its second reading.

On motion of Mr. Latham,

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

Ordered to be engrossed.

The House of Commons concurring, by message, in the proposition to go into an election for six Counsellors of State, the Senate proceeded to vote, under the superintendence of Messrs. Bullock and Sanders.

Mr. Leitch of Robeson having withdrawn the name of N. A. McLean,

Mr. Boyd having withdrawn the name of Hon. A. Dockery, and

Mr. Leitch of Robeson having added to the names in nomination, E. J. Hale, Sr.,

Mr. Howard placing in nomination the name of Mr. B. M. Baxter, and

Mr. Williams nominating Dr. J. A. Drake, which resulted as follows, viz:

The following Senators voted for Mr. LEMLEY, viz:

Messrs. Arendell, Aycock, Black, Blount, Bogle, Boner, Boyd, Bullock, Bynum, Covington, Coward, Cowles, Cowper, Eure, Gash, Gorrell, Harris of Rutherford, Isbell, Jones of Columbus, Keener, Latham, Leitch of Robeson, McEachern, Morgan, Pitchford, Sanders, Shober, Snead, Warren, Wilson and Winstead—31.

The following Senators voted for Mr. RUSSELL, viz:

Messrs. Arendell, Blount, Boner, Bullock, Bynum, Coward, Cowles, Cowper, Garner, Gash, Gorrell, Harris of Rutherford, Isbell, Jones of Columbus, Morgan, Pitchford, Sanders, Snead, Warren, Whitford, Wiggins, Williams and Winstead—23.

The following Senators voted for Mr. PATTERSON, viz:

Messrs. Blount, Bogle, Boner, Boyd, Bullock, Coward, Cowles, Garner, Harris of Rutherford, Isbell, Leitch of Robeson, McEachern, Morgan, Pitchford, Sanders, Shober, Snead, Warren, Whitford and Wilson—20.

The following Senators voted for Mr. PARROTT, viz:

Messrs. Arendell, Black, Blount, Bogle, Boner, Boyd, Bullock, Coward, Eure, Gorrell, Harris of Rutherford, Isbell, Jones of Columbus, Keener, Morgan, Sanders, Snead and Warren—18.

The following Senators voted for Mr. J. J. Yeates, viz:

Messrs. Black, Boner, Bynum, Cowles, Cowper, Eure, Garner, Gash, Gorrell, Harris of Rutherford, Isbell, Jones of Columbus, Keener, Morgan, Sanders, Snead, Williams and Winstead—18.

The following Senators voted for Mr. COWLES, viz:

Messrs. Arendell, Blount, Bogle, Boyd, Bynum, Coward, Cowles, Cowper, Garner, Gash, Gorrell, Harris of Rutherford, Isbell, Jones of Columbus, Morgan and Snead—16.

The following Senators voted for Mr. WRIGHT, viz:

Messrs. Aycock, Bynum, Cowper, Ferebee, Hall, Howard, Latham, Leitch of Robeson, McEachern, Pitchford, Shober, Stanford, Whitford, Wiggins and Wilson—15.

The following Senators voted for Mr. BAXTER, viz:

Messrs. Aycock, Covington, Eure, Faison, Ferebee, Hall, Howard, Latham, Leitch of Robeson, McEachern, Pitchford, Whitford, Wiggins, Williams and Wilson—15.

The following Senators voted for Mr. BIZZELL, viz:

Messrs. Aycock, Eure, Faison, Ferebee, Howard, Keener,

Latham, Shober, Stanford, Whitford, Williams and Winstead—12.

The following Senators voted for Mr. HALE, viz:

Messrs. Covington, Eure, Faison, Ferebee, Hall, Howard, Leitch of Robeson, McEachern, Stanford and Wilson—10.

The following Senators voted for Mr. LENOIR, viz:

Messrs. Arendell, Cowper, Faison, Ferebee, Garner, Gash, Howard, Jones of Columbus, Keener and Wiggins—10.

The following Senators voted for Mr. DRAKE, viz:

Messrs. Bogle, Covington, Faison, Garner, Stanford, Whitford, Wiggins, Williams and Winstead—9.

The following Senators voted for Mr. W. J. YEATES, viz:

Messrs. Aycock, Bynum, Ferebee, Howard, Latham, Leitch of Robeson, McEachern and Wilson—8.

The following Senators voted for Mr. CARTER, viz:

Messrs. Arendell, Blount, Boyd, Coward, Cowles, Shober and Warren—7.

The following Senators voted for Mr. MURPHY, viz:

Messrs. Boner, Bullock, Keener, Sanders and Shober—5.

The following Senators voted for Mr. DICK, viz:

Messrs. Black, Bogle, Gash and Warren—4.

The following Senators voted for Mr. HARGRAVE, viz:

Messrs. Boyd, Covington, Stanford and Williams—4.

The following Senators voted for Mr. DAVIDSON, viz:

Messrs. Aycock, Latham and Winstead—3.

The following Senators voted for Mr. WINSTON, viz:

Messrs. Bullock and Wiggins—2.

The following Senators voted for Mr. DICKSON, viz:

Messrs. Covington and Stanford—2.

The following Senators voted for Mr. LEACH, viz:

Messrs. Black and Boyd—2.

The following Senators voted for Mr. CALDWELL, viz:

Messrs. Gorrell and Pitchford—2.

Mr. Black voted for Mr. Dockery.

Mr. Faison voted for Mr. Miller.

The introduction of bills was then continued, and bills, etc, of the titles following were introduced, read first time passed first reading, referred or otherwise ordered as follows, viz:

From the House: A bill (H. P. 9,) to amend an act ratified 29th January, 1849, in reference to amending the Charter for building a bridge across Pasquotank River.

On motion of Mr. Ferebee,

The rules were suspended and the bill passed its second and third readings.

Ordered to be enrolled.

From the House: A resolution (H. P. R. 2,) in favor of S. G. Ward. Filed on the private calendar.

From the House: A bill (H. 5,) to incorporate the Durham Academy in the county of Orange. Filed.

From the House: A resolution (H. R. 16,) authorizing the Secretary of State to send Convention documents to the Clerks of the County Courts of the State. Filed.

Mr. Ferebee, from the joint select committee to confer with the Commission appointed to prepare a Code of Laws for the government of freedmen, submitted the following special report, viz:

The joint select committee appointed for that purpose, have conferred with the Commission authorized by an ordinance of the late Convention of the State, to prepare and present a Code of Laws for the government of freedmen, and offer the following report and ask the concurrence of the General Assembly.

The present session of the General Assembly, now within a few days of its close, does not afford the time and opportunity necessary for the consideration and discussion of the many and complicated subjects which must properly arise in the preparation of such a Code. The sudden change in the condition of the negro from slavery to freedom, renders it difficult properly to devise and prepare a Code that will

be best suited to protect their interests and promote their welfare. Time and thought are necessary to this end.

The experience and action also of our sister States may be brought to us in a few weeks, and may shed much light upon the subject, to guide and support us.

As the Legislature will re-assemble early in February next, the committee, with the concurrence and advice of the Commission appointed to prepare said Code, are of the opinion that the subject can, with more convenience and wisdom, be considered and matured at that time.

The committee, therefore, do accordingly recommend that the further action of the General Assembly on this subject, be postponed until the re-assembling of the same in February next, and to that session the Commissioners be requested to make their report.

All of which is respectfully submitted,

D. D. FEREBEE, *Chairman.*

Concurred in.

Mr. Howard introduced the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to inquire into the propriety of providing by law that all wills executed before the 1st day of May, 1865, be null and void, where the testator or testatrix has become *non compos*, and report by bill or otherwise.

Adopted.

The Speaker announced as the committee on *Enrolled Bills* for the week,

Messrs. Gorrell, Harris of Franklin and McEachern.

Bills, etc., of the titles following, then being read the second time and the question put, passed the second reading or were otherwise ordered, as follows, viz:

S. 9, bill to establish a Homestead Freehold, by exempting from execution a certain portion of the land of any citizen of the State of North Carolina.

On motion of Mr. McCleese,

Laid upon the table.

H. 3, bill to amend an act passed at the session of the General Assembly of 1860–'61, entitled "An act to appoint tax collectors for Bertie and other counties."

On motion of Mr. Cowper,

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

Ordered to be enrolled.

S. 11, bill to carry into effect an ordinance of the Convention in regard to the election of Clerks and Sheriffs.

S. 12, a bill to amend an act passed at the session of 1854–'55, to incorporate the Little River Turnpike Company.

On motion of Mr. Gash,

The rules were suspended, and the bill passed its second and third readings.

Ordered to be engrossed.

H. 23, bill to provide for the payment of the State debt contracted before the war.

On motion of Mr. Wiggins,

Postponed until the first Monday in February next.

S. 23, bill to provide for the poor.

On motion of Mr. Jones of Columbus,

Laid upon the table.

S. 27, bill to enable Sheriffs to collect arrearages of taxes.

On motion of Mr. Hall,

Laid upon the table.

S. P. 1, bill to empower the sureties on the official bonds of Josiah R. White, late Sheriff of Perquimans county to collect arrears of taxes in said county for the years 1860, 1861 and 1862.

On motion of Mr. Hall,

Laid on the table.

S. P. R. 2, resolution in favor of W. B. Campbell, late Sheriff of Beaufort county.

On motion of Mr. Latham,

Laid upon the table.

S. P. 3, bill to incorporate Stokesbury Lodge, No. 220, A. Y. M , in the county of Stokes.

S. P. R. 4, resolution in favor of Daniel Coleman, Administrator of Josiah L. Bundy, deceased, late Sheriff of the county of Cabarrus.

On motion of Mr. Gash,

Laid upon the table.

S. P. 5, bill to exempt certain hands from working the public roads.

On motion of Mr. Jones of Columbus,

Laid upon the table.

S. P. R. 6, resolution in favor of George Dill, late Sheriff of Carteret county.

On motion of Mr. Latham,

Laid upon the table.

Whereupon it being 1 o'clock and 30 minutes.

Mr. Harris of Rutherford, moved to adjourn until 11 o'clock to-morrow.

Mr. Wiggins moved, by way of amendment, that the Senate adjourn until 10 o'clock to-morrow, which being put,

The amendment prevailed, there being counted yeas 17, nays 11.

The question recurring on the amended motion, was put and

Decided in the affirmative, { Yeas, ... 19 / Nays, ... 18

On motion of Mr. Wiggins,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Blount, Bogle, Boner, Boyd, Bullock, Covington, Coward, Cowper, Eure, Faison, Harris of Rutherford, Keener, McCleese, McEachern, Sanders, Snead, Wiggins, Williams and Wilson.

And the following in the negative, viz:

Messrs. Arendell, Aycock, Bynum, Ferebee, Garner, Gash, Gorrell, Hall, Howard, Jones of Columbus, Latham, Leitch of Robeson, Morgan, Pitchford, Shober, Whitford and Winstead.

So the Senate adjourned until 10 o'clock to-morrow.

WEDNESDAY, DECEMBER, 13TH, 1865.

Mr. Jones of Columbus introduced the following resolution, viz:

(S. R. 36,) *Resolved*, That the Public Treasurer be, and he is hereby authorized to sell all of the stocks or interests owned by the State of North-Carolina, in any and every corporation: *Provided, however*, That said sale shall not be made at a price less than the *par* value of said stocks or interests.

Ordered, To be printed and referred to the joint select committee on *Railroads*.

Mr. Sanders, from the committee to superintend the election for Counsellors of State, submitted a report as follows, viz:

Whole number of votes 148. Necessary to a choice 75. Of which Mr. Lemley received 116; Mr. Russell 88; Mr. J. J. Yeates 77; Mr. Lenoir 59; Mr. Wright 57; Mr. Baxter 58; Mr. Parrott 53; Mr. Bizzell 41; Mr. Patterson 44; Mr. Cowles 39; Mr. Drake 37; Mr. Murphy 26; Mr. Hale 22; Mr. W. J. Yeates 21; Mr. Dick 20; Mr. Carter 17; Mr. Hargrave 11; Mr. J. T. Leach 15; Mr. Winston 6; Mr. Davidson 4; Mr. Davis 3; Mr. Dickson 2; Mr. D. F. Caldwell 2.

Messrs. Lemley, Russell and J. J. Yeates having received a majority of all the votes cast were duly elected.

The report was concurred in.

Mr. Whitford introduced the following resolution, viz:

Resolved, That the joint select committee on *Railroads* be and are hereby authorized to send for persons and papers and to administer oaths, if they may deem necessary, to carry out the object of their appointment.

Adopted.

Mr. Covington introduced the following resolution, viz:

Resolved, That the *Judiciary* committee be instructed to take into consideration the formation of a law, having for its object the protection and ease of debtors, and to prevent their property being sacrificed; and at the same time to give protection to creditors; and that they report by bill or otherwise.

Adopted.

On motion of Mr. Cowper,

Ordered, That a message be sent to the House of Commons proposing to go into an election for three Counsellors of State.

On motion of Mr. Wilson,

The concurrence of the Senate, in the report of the committee on the depreciation of Confederate currency, was withdrawn.

A message was received from the House of Commons concurring in the proposition to go into the election for three Counsellors of State.

The Senate proceeded to vote under the superintendence of Messrs. Stanford and Black, with result as follows, viz:

The following Senators voted for Mr. WRIGHT, viz:

Messrs. Aycock, Bullock, Cowper, Donaho, Eure, Faison, Hall, Harris of Franklin, Howard, Keener, Latham, Leitch of Robeson, McEachern, Morehead, Pitchford, Sanders, Stanford, Whitford, Wiggins, Wilson and Winstead—21.

The following Senators voted for Mr. COWLES, viz:

Messrs. Arendell, Blount, Bogle, Boyd, Bullock, Bynum, Coward, Cowles, Garner, Gash, Gorrell, Harris of Ruther-

ford, Isbell, Jones of Columbus, Jones of Wake, Leach of Davidson, Morgan, Sanders, Snead and Warren—20.

The following Senators voted for Mr. LENOIR, viz:

Messrs. Aycock, Boner, Boyd, Bynum, Covington, Cowper, Faison, Garner, Gash, Howard, Jones of Columbus, Keener, McCleese, Morgan, Snead, Stanford and Wiggins—17.

The following Senators voted for Mr. PATTERSON, viz:

Messrs. Arendell, Black, Blount, Bogle, Bullock, Bynum, Coward, Cowles, Harris of Rutherford, Isbell, Leitch of Robeson, Morehead, Sanders, Shober, Warren and Wilson—16.

The following Senators voted for Mr. BAXTER, viz:

Messrs. Covington, Cowles, Eure, Ferebee, Hall, Harris of Franklin, Howard, Latham, McCleese, McEachern, Pitchford, Shober, Whitford, Wiggins and Williams—15.

The following Senators voted for Mr. BIZZELL, viz:

Messrs. Cowper, Donaho, Eure, Faison, Ferebee, Harris of Franklin, Latham, McCleese, McEachern, Shober, Stanford, Whitford, Williams and Winstead—14.

The following Senators voted for Mr. PARROTT, viz:

Messrs. Arendell, Black, Blount, Boyd, Coward, Gash, Gorrell, Harris of Rutherford, Isbell, Jones of Columbus, Jones of Wake, Morgan, Snead and Warren—14.

The following Senators voted for Mr. HALE, viz:

Messrs. Covington, Donaho, Ferebee, Leitch of Robeson and Winstead—5.

The following Senators voted for Mr. W. J. YEATES, viz:

Messrs. Aycock, Black, Boner and Wilson—4.

The following Senators voted for Mr. D. F. CALDWELL, viz:

Messrs. Boner, Gorrell, Leach of Davidson and Pitchford—4.

The following Senators voted for Mr. DICK, viz:

Messrs. Bogle, Jones of Wake and Morehead—3.

The following Senators voted for Mr. DRAKE, viz:

Messrs. Garner and Williams—2.

The following Senators voted for Mr. MURPHY, viz:

Messrs. Keener and Leach of Davidson—2.

On motion of Mr. Wilson,

Ordered, That the report from the committee on the depreciation of Confederate currency, be recommitted to said committee, with instruction to report a bill.

A message was received from the House of Commons proposing, with the concurrence of the Senate, in compliance with the report of the joint committee, to receive the Governor elect, in the Hall of the House of Commons, on Friday next, at 12 o'clock, for the purpose of having the oaths of office administered.

The Senate concurred.

A message was received from the House of Commons transmitting a memorial to His Excellency, the President of the United States, asking the concurrence of the Senate therein.

Which being read,

On motion of Mr. Jones of Columbus,

Ordered, To be printed and referred to the committee on *Federal Relations*.

Mr. Howard introduced the following resolution, viz:

Resolved, That the committee on the *Judiciary* be instructed to consider whether any modification of the laws relating to mortgages and deeds of trust is needed at this time, and report by bill or otherwise.

Adopted.

Mr. Covington introduced a bill with the following title, which was read the first time and passed and referred to the committee on the *Judiciary*, viz:

A bill (S. 37,) to authorize the Wardens of the Poor of each county to seize and sell the property of paupers who are admitted to the poor house of their respective counties

Mr. Stanford, from the committee to superintend the election for Counsellors of State, reported as follows, viz:

Whole number of votes cast 152. Necessary to a choice 77. Of which Mr. Lenoir received 82; Mr. Wright 69; Mr. Baxter 67; Mr. Parrott 51; Mr. Cowles 46; Mr. Bizzell 37; Mr. Caldwell 29; Mr. Patterson 20; Mr. Murphy 16; Mr. Yeates 13; Mr. Dick 10; Mr. Drake 9; Mr. Hale 5.

Mr. Lenoir having received a majority of the whole number cast, was duly elected.

The report was concurred in.

S. 16, bill to extend the time allowed to widows to enter their dissent to the last will and testament of their husbands, was read the second time, and,

On motion of Mr. Eure,

Postponed until the first Monday in February next.

A message was received from the House of Commons, with information of their concurrence in the report of the joint select committee to confer with the Commission on the subject of freedmen.

A message was also received transmitting the concurrence of the House in the resolution giving to the joint select committee on *Railroads* the power to send for persons and papers and to administer oaths.

A further message was received, informing the Senate of the adoption by the House of Commons of the following resolution, in which they ask their concurrence.

Resolved, That in the event of any contract having been entered into by any Railroad Company in this State, with any person or company, whereby preferences or exclusive rights of transportation either in priority or arrangement is given to such person or company, the Attorney General of the State is hereby instructed to institute proceedings against such Railroad Company for a forfeiture of its charter.

Which being read, Mr. Ferebee moved that the rules be

suspended, and the resolution be placed upon its passage.

A message was received from the House of Commons, p oposing to go forthwith into the election of two Counsellors of State.

The Senate concurred, and informed the House that they would proceed to vote upon the return of the messenger.

Mr. McLean (by permission) introduced a memorial from certain citizens of Cumberland in regard to the distillation of grain, asking for legislation to prevent it.

On motion of Mr. McLean,

Referred to the committee on Proposition and Grievances.

The Senate now proceeded to vote for two Counsellors of State, Messrs. Boner and Isbell superintending, with result as follows, viz:

The following Senators voted for Mr. COWLES, viz:

Messrs. Arendell, Black, Blount, Bogle, Boner, Boyd, Bullock, Bynum, Coward, Cowles, Cowper, Donaho, Eure, Garner, Gash, Gorrell, Harris of Rutherford, Isbell, Jones of Columbus, Jones of Wake, Keener, Morgan, Sanders, Snead, Warren and Winstead—26.

The following Senators voted for Mr. WRIGHT, viz:

Messrs. Aycock, Bynum, Covington, Cowper, Ferebee, Hall, Harris of Franklin, Howard, Jones of Columbus, Latham, Leitch of Robeson, McCleese, McEachern, McLean, Pitchford, Sanders, Snober, Stanford, Whitford, Wiggins, Williams and Wilson—22.

The following Senators voted for Mr. PARROTT, viz:

Messrs. Arendell, Black, Blount, Boner, Boyd, Bullock, Coward, Cowles, Garner, Gash, Gorrel , Harris of Rutherford, Isbell, Jones of Wake, McEachern, Morgan, Snead, Warren and Winstead—19.

The following Senators voted for Mr. BAXTER, viz:

Messrs. Covington, Donaho, Eure, Ferebee, Hall, Harris

of Franklin, Howard, Latham, McCleese, Pitchford, Stanford, Whitford, Wiggins and Williams—14.

The following Senators voted for Mr. HALE, viz:

Messrs. Aycock, Leitch of Robeson and McLean—3.

The following Senators voted for Mr. LIZZELL, viz:

Messrs. Faison and Keener—2.

The following Senators voted for Mr. YEATES, viz:

Messrs. Shober and Wilson—2.

Mr. Bogle voted for Patterson.

The Speaker announced the special order, viz: S. R 6, resolution touching the amendment to the Constitution of the United States, known as the 13th Article, which being read,

On motion of Mr. Rynum,

The further consideration was postponed until to-morrow at 12 o'clock.

The Senate resumed the consideration of the unfinished business, being the resolution of instruction to the Attorney General, transmitted from the House of Commons.

The question being on the motion of Mr. Ferebee to suspend the rules; which being put, was decided in the affirmative, and the resolution was read the second time.

Mr. Jones of Wake moved to refer it to the committee on the Judiciary, and the motion did not prevail, there being counted ayes 16, noes 23.

The question recurring upon the passage of the resolution its second reading, it was put, and decided in the affirmative.

Under a further suspension of the rules, the resolution passed its third reading.

Ordered, To be enrolled.

Mr. Hall introduced the following resolution, viz:

Resolved, That a select committee of three be appointed, whose duty it shall be to prepare and report a bill to the next meeting of this General Assembly, best calculated to

promote and courage emigration to this State: to prevent fraud and imposition on the emigrant: to ensure the performance of contracts between the contractor and emigrant; and all such other matters that may be connected with the subject.

Adopted.

Mr. Boner, from the committee to superintend the election of two Counsellors of State, reported as follows, viz:

Whole number of votes cast 150. Necessary to a choice 76. Of which Mr. Wright received 84; Mr. Cowles 78; Mr. Baxter 70; Mr. Parrott 49; Mr. Yeates 14; Mr. Bizzell 5; Mr. Hale 3; Mr. Patterson 1.

Messrs. Wright and Cowles having received a majority of all the votes cast, were duly elected.

The report was concurred in.

The Senate concurred in the following resolution transmitted from the House of Commons, viz:

Resolved, (the Senate concurring,) That the unfinished business depending in the two Houses of the General Assembly at the adjournment, ordered by their joint action, on Monday next, shall be continued over the recess and resumed at the next meeting of the same in like manner as in adjournments from day to day.

Mr. McLean introduced the following resolution, viz:

Resolved, That the *Judiciary* committee be instructed to consider whether any legislation is necessary to relieve wards of their present distress by permitting such disposition of their property as will insure due provision for them, and report by bill or otherwise.

Adopted.

A message was received from the House of Commons, transmitting a bill (S. 14,) to repeal an act entitled "An Act to establish the office of Auditor of Public Accounts," and for other purposes, which they had passed with two amendments; 1st, to strike out "$2,000," as the salary of

the Comptroller, and insert "$1,500." 2d, strike out the clause allowing the Comptroller a clerk; asking the concurrence of the Senate in the amendments.

The Speaker holding that the vote could be taken separately, the question was, upon concurring in the first amendment, and it was put, and

Decided in the affirmative, { Yeas ..... 26 / Nays 18

On motion of Mr. Latham,

The yeas and nays being ordered,

Those who voted in the affirmative, are,

Messrs. Aycock, Black, Blount, Boner, Bullock, Coward, Cowper, Donaho, Eure, Faison, Ferebee, Gorrell, Hall, Harris of Franklin, Howard, Keener, Latham, McCleese, McLean, Pitchford, Sanders, Snead, Stanford, Wiggins, Williams and Winstead.

And those who voted in the negative, are:

Messrs. Arendell, Bogle, Boyd, Bynum, Covington, Cowles, Garner, Gash, Harris of Rutherford, Isbell, Jones of Wake, Leitch of Robeson, McEachern, Morgan, Shober, Warren, Whitford and Wilson.

So the Senate concurred in the first amendment.

The question now recurring on the second amendment, it was put and

On motion of Mr. Hall,

Decided in the negative, { Yeas, ...15. / Nays, ...26.

The yeas and nays being ordered,

Those who voted in the affirmative, are,

Messrs. Bullock, Faison, Ferebee, Gorrell, Hall, Harris of Franklin, Howard, Jones of Wake, Latham, McCleese, Pitchford, Sanders, Snead, Wiggins and Winstead.

And the following voted in the negative,

Messrs. Arendell, Blount, Bogle, Boner, Boyd, Bynum, Covington, Coward, Cowles, Cowper, Donaho, Eure, Garner, Gash, Harris of Rutherford, Isbell, Keener, Leitch of

Robeson, McEachern, McLean, Morgan, Shober, Warren, Whitford, Williams and Wilson.

The Senate refused to concur in the second amendment, and the House informed thereof.

Bills of the titles following, being considered on their second reading, passed the second reading, and were otherwise disposed of as follows, viz:

S. 30, bill to extend the time for registering deeds and other conveyances.

On motion of Mr. Cowper,

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

Ordered to be engrossed.

H. 5, bill to incorporate "The Durham Academy" in the county of Orange.

H. R. 16, resolution authorizing the Secretary of State to send Convention Documents to the Clerks of the County Courts of the State.

On motion of Mr. McCleese,

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

Ordered to be enrolled.

H. P. R. 2, resolution in favor of L. G. Ward.

On motion of Mr. Keener,

The rules were suspended, and the resolution passed its third reading.

Ordered to be enrolled.

And bills of the following titles, being considered on their third reading, passed, and were ordered as follows, viz:

S. 11. bill to carry into effect an ordinance of the Convention in regard to the election of Clerks and Sheriffs.

Ordered to be engrossed.

H. P. 6, bill to incorporate Stokesbury Lodge, No. 220, A. Y. M., in the county of Stokes.

Ordered to be enrolled.

Mr. Latham (by permission) introduced a bill (S. 38,) to modify an ordinance to organize a temporary force for the preservation of law and order, which being read,

On motion of Mr Latham,

The rules were suspended, and the bill passed its several readings.

Ordered to be engrossed.

Whereupon it being 1 o'clock and 30 minutes,

Mr. Arendell moved to adjourn until 11 o'clock to-morrow.

Mr. Wiggins moved, by way of amendment, that the Senate adjourn until 10 o'clock, and the question thereon was put, and

Decided in the affirmative, { Yeas .....31, Nays .....11.

On motion of Mr. Latham,

The yeas and nays being ordered,

Those who voted in the affirmative, are,

Messrs. Aycock, Black, Blount, Bogle, Boner, Bullock, Bynum, Covington, Coward, Cowles, Cowper, Donaho, Faison, Ferebee, Garner, Gash, Gorrell, Harris of Franklin, Harris of Rutherford, Isbell, Latham, McCleese, McEachern, Morgan, Pitchford, Sanders, Snead, Stanford, Wiggins, Wilson and Winstead.

And those who voted in the negative, are:

Messrs. Arendell, Boyd, Eure, Ferebee, Howard, Jones of Wake, Keener, Leitch of Robeson, Shober, Warren and Whitford.

The question recurring on the amended motion, was put and decided in the affirmative, there being counted ayes 20, noes 14.

So the Senate adjourned until 10 o'clock to-morrow.

THURSDAY, December 14th, 1865.

Repo ts were submitted received and filed from select and standing c ommittees as follows, viz:

By Mr. Jones of Columbus, from the committee on the *Stay Law*, asking to be discharged from the further consideration of the subject until the first Monday in February next.

By Mr. Warren, from the committee on the *Judiciary*, to which was referred a resolution of enquiry, whether there is a general law, authorizing a less number than a majority of Magistrates to constitute a quorum for the transaction of county business, reporting there was a general law authorizing fifteen Magistrates to transact county business, when a majority cannot be obtained, and in their opinion no further legislation is necessary upon the subject at present.

Mr. Harris of Rutherford, from the committee on the *Depreciation of Confederate Currency*, reported a bill (S. 43,) to be entitled an act to establish a scale of depreciation of Confederate currency, with a special report, recommending the passage of the bill.

Ordered, That the bill be printed.

The report is as follows:

The joint select committee, charged under the resolution of the Senate, with the duty of preparing a scale of depreciation of Confederate currency from its first issue to the close of the war, submit the following report:

The committee have had before them evidence of the current rates of gold prevailing during the war in the markets of Raleigh, Wilmington and Richmond, in the form of tables furnished by persons dealing largely in exchange. These rates do not essentially differ, and the committee derive from this evidence the information upon which their own schedule is based.

The gold dollar is adopted as the standard of value, pos-

sessing in a greater degree than any other the essential elements of uniformity and permanence.

The committee submit, with their report, a scale of depreciation for each month, and for parts of December, 1864, inasmuch as the depreciation in that month was large and rapid, and also a bill to give effect to the same, and recommend its passage.

C. L. HARRIS,
for Committee.

By Mr. Bynum, from the committee on the *Judiciary.*

S. 29, bill for the relief of all persons who may suffer from the destruction of records and other papers during the late war, with the recommendation the same do pass.

By Mr. Warren, from the same committee, asking to be discharged from the further consideration of "a resolution in favor of guardians and other persons holding funds in trust," during the present session.

By Mr. Howard, from the same, asking to be discharged from the further consideration of a "resolution to insure due provision for the poor," as the proclamation of the Provisional Governor makes any legislation on the part of the General Assembly, unnecessary.

By Mr. Howard, from the same committee,

S. 40, bill concerning advancements, with a recommendation the same do pass.

S. 41, bill to revoke certain wills, with a recommendation the same do pass.

H. 29, bill to qualify the Superior Court Clerks lately elected, with the following amendments:

In the third line of the second clause, strike out the word "*shall,*" and insert the words "*and after the termination of the Provisional Government, shall enter on the discharge of the duties, and,*" and strike out all of the third clause after the word "*shall*" in the second line, and insert "*have the oaths aforesaid subscribed and return the same together with the*

bonds to the first regular term of the Superior Court that may be held after the termination of the Provisional Government, according to section 7, chapter 19, of the Revised Code."

And so amended, recommended it do pass.

By Mr. Arendell, from the committee on *Corporations*,

S. 24, bill to incorporate the Mining, Manufacturing and Improvement Company, with a recommendation that the same do pass.

S. 25, bill to incorporate the American Industrial Agency, and recommend the passage of the same.

By Mr. Arendell, from the committee on the *Institution for the Deaf and Dumb and the Blind*,

S. R. 42, resolutions concerning the North-Carolina Institution for the Deaf and Dumb and the Blind, with a special report, recommending the same do pass.

The report is as follows:

The committee on the North-Carolina Institution for the Deaf and Dumb and the Blind, beg leave to submit the following report:

They learn from the report of the Principal and Directors, submitted to his Excellency, Gov. Holden, and laid before the Convention and Legislature, that during the session ending June 20th, 1865, eighty-four pupils were in attendance, being the largest number ever present during any previous session. The stock of provisions secured for the Institution being exhausted early in May, upon a representation of the fact to Maj. Genl. Schofield then commanding the Department of North-Carolina, he ordered the Commissary Department to issue such rations as were necessary for the support of all connected with the Institution. The same order has been continued up to the present time.

His Excellency, Gov. Holden, after entering upon the dischage of his duties as Provisional Governor, re-appointed the old Board of Directors, who had shown from the zeal and energy manifested in the discharge of their duties for

many years, that they were deeply interested in the prosperity of the Institution. The committee hereby endorse the action of Gov. Holden in their re-appointment.

At the close of the session, June 30th, 1865, all of the pupils except thirteen were sent home. These were forced to remain from various causes. Since that time the Board of Directors have deemed it best, owing to the want of funds and other causes, not to resume the regular exercises of the school until directed to do so by the Legislature.

Two of the mechanical departments connected with the Institution, the Printing Office and Book Bindery, have continued in operation up to this time, and in addition to paying expenses, have contributed materially to the support of the Institution. The Shoe Shop was suspended soon after the close of the session, owing to the lack of work. In addition to the amount received from the mechanical departments, Gov. Holden has authorized the Public Treasurer to furnish such funds as were absolutely necessary for the support of the Institution.

At the close of the session all of the officers of the Institution were discharged, except the Principal, Steward, Housekeeper, Matron and Foremen in the Mechanical Departments, and thus the expenditures were reduced to the smallest possible amount. As your committee believe that it is highly important that the regular exercises of the Institution be resumed at an early day, they beg leave to submit the accompanying resolutions, and ask their adoption by the Legislature, feeling assured that the Board of Directors will see that the strictest economy is observed in the management of the Institution, and that they will do all in their power to improve the condition of those unfortunate children confided to their care.

In conclusion, the committee beg leave to state, that the Principal, W. J. Palmer, Esq., deserves much commenda-

tion for his zeal, capacity and fidelity to the interests of the Institution.

M. F. ARENDELL, *Chm'n.*

By Mr. Wilson, from the *Judiciary*, asking that the resolution concerning what laws of the State are in force or ought to be repealed, be printed and its further consideration be postponed until the first Monday in February next.

By Mr. Howard, from the same committee,

S. 44, bill concerning Mortgages, Deeds of Trust and Judgments confessed, with the recommendation the same do pass.

Mr. Morehead, from the committee on the *Library*, submitted the following report, viz:

The committee to whom was referred the bill proposing to consolidate the offices of Public Librarian and Keeper of the Capitol, have had the same under consideration, and beg leave to report,

That they think it would be highly inexpedient to consolidate said offices. The committee think the Librarian ought to be a gentleman of education, of literary attainments and acquainted with books, whilst the keeper of the Capitol requires scarcely any other qualification than that of using a broom with dexterity and efficiency. The offices are regarded by the committee as utterly incompatible, and they do, therefore, report the bill back to the two Houses, with a recommendation that it do not pass. It is bad policy to secure incompetent services at any price.

All of which is respectfully submitted,

JAMES T. MOREHEAD, *Chm'n.*

Which being read, was on his motion, laid on the table.

A message was received from the House of Commons, informing the Senate that they had passed the bill (S. 30,) to extend the time for registering deeds and other conveyances, with an amendment, striking out the words "*two*

years," in the 11th line, and insert the words "*three years.*"

The Senate concurred in the amendment.

A message was also received from the House of Commons declining to recede from their amendment to the bill (S. 14,) to repeal an act entitled "An Act to establish the office of Auditor of Public Accounts," and for other purposes, and asked a conference thereon.

The Senate concurring, the Speaker appointed Messrs. Faison, Garner and Gorrell on the part of the Senate.

Also a message transmitting the report of the committee of Arrangements on the administration of the oaths of office to the Governor elect, asking the concurrence of the Senate therein.

The Senate concurred.

The report is as follows:

The joint committee, appointed to make arrangements for the administration of the oaths of office to Jonathan Worth, Esq, Governor elect, ask leave to make the following report, viz:

That the Speakers of the two Houses will occupy the place at the table in the Commons Hall, and that the Governor elect, and the Hon. D. G. Fowle, one of the Judges of the Superior Court, will occupy a place at the Clerks desk assigned him; the Governor on the right, and the committee of Arrangements immediately in front of the Clerk's table. The members of the Senate will occupy the front seats on the right of the Speaker's chair in the Commons Hall, the residue of the said seats on the right, and those on the left of the Speaker's chair will be occupied by the members of the House. After the Governor elect shall have taken and subscribed the oaths of office, and delivered his address in presence of both branches of the General Assembly, the Speaker of the Senate will announce that the Senators will retire to their Chamber, and thereupon the Governor, Judge and committee of Arrangements will first

retire, and the Speaker of the Senate will retire at the head of the members of the Senate.

All of which is most respectfully submitted,

H. M. WAUGH, *Chm'n.*

Also received a further message, transmitting the report of the Commissioners of the Sinking Fund, with a proposition to print, and a reference to a joint select committee, to consist of two members on the part of the Senate and three on the part of the House.

The Senate concurring, Messrs. Bynum and Wilson were designated as the Senate branch of the committee.

Bills, etc., of the titles following, were introduced, passed their first reading, and were referred as follows, viz:

By Mr. Jones of Wake: A resolution (S. P. R. 9,) in favor of Briggs & Dodd.

On motion of Mr. Jones of Wake,

The rules were suspended, and the resolution passed its second reading, and

Referred to committee on *Claims.*

From the House: An engrossed bill (H. 22,) for the relief of the holders of State bonds issued since 20th May, 1861, under the Act ratified 16th February, 1861, entitled "An Act to secure the completion of the Wilmington, Charlotte and Rutherford Railroad and amend its charter."

Referred to the committee on *Internal Improvements.*

From the House: An engrossed bill (H. 31,) to extend the time for registering deeds and other conveyances. Filed on the calendar.

From the House: An engrossed bill (H. P. 21,) to incorporate Enoe Lodge of Free and Accepted Masons. Filed.

From the House: A resolution in favor of M. A. Curtis. Filed.

A bill (H. 5,) to incorporate "The Durham Academy" in the county of Orange, was read the third time, passed its third reading,

Ordered to be enrolled.

On motion of Mr. Bynum,

The rules were suspended, and a bill (S. 29,) for the relief of all persons that may suffer from the destruction of records and other papers during the war, was read the second and third time, and passed.

Ordered, To be engrossed.

On motion of Mr. Howard,

The rules were suspended and a bill, (S. 40,) concerning Advancements, was placed upon its several readings and passed,

Ordered, To be engrossed.

On motion of the same,

The rules were again suspended, and a bill (S. 41,) to revoke certain wills, passed its second and third readings.

Ordered, To be engrossed.

On motion of Mr. Arendell,

The rules were suspended, and the resolutions, (S. R. 42,) concerning the Institution for the Deaf and Dumb and the Blind, passed their several readings.

Ordered, To be engrossed.

The Speaker announced the hour for the special order, viz: the resolution of Mr. McLean (S. R. 6,) touching the amendment to the Constitution of the United State, known as the 13th Article.

The question being upon the passage of the resolution its second reading, was put, and decided in the affirmative.

On motion of Mr. Leitch of Robeson,

The rules were suspended, and the resolution read the third time, and the question being thereon,

Mr. Bynum proposed a substitute by way of amendment,

And it was adopted.

A message was received from the House of Commons, proposing to go forthwith into an election for Comptroller.

On motion of Mr. Howard,

It was laid on the table.

The question recurring upon the passage of the amended resolution,

A message was received from the House of Commons, proposing to go into the election of Comptroller to day at 1 o'clock P. M.

The Senate concurred.

The further consideration of the special order was postponed until after the execution of the joint order.

A message was received from the House of Commons, transmitting the report of the President and Superintendent of the Deaf and Dumb and the Blind Asylum, received from his Excellency, the Provisional Governor, with a proposition to print the same.

The Senate concurred.

The hour having arrived for the execution of the joint order, viz: the election for Comptroller, the House of Commons were informed that the Senate would proceed to vote upon the return of the messenger.

Mr. Shober nominated Mr. A. C. Cowles.

Mr. Faison nominated Gen. C. H. Brogden

Mr. Bullock nominated Mr. W. F. Collins.

The Senate then proceeded to vote, under the superintendence of Messrs. Donaho and Isbell, with result as follows, viz:

The following Senators voted for Mr. COWLES, viz:

Messrs. Speaker, Arendell, Blount, Bogle, Boner, Boyd, Bynum, Coward, Donaho, Garner, Gash, Gorrell, Harris of Rutherford, Isbell, Jones of Columbus, Leach of Davidson, Morgan, Shober, Snead, Warren and Wilson—21.

The following Senators voted for Mr. BROGDEN, viz:

Messrs. Aycock, Black, Eure, Faison, Hall, Harris of Franklin, Howard, Jones of Wake, McEachern, McLean, Stanford and Winstead—12.

The following Senators voted for Mr. COLLINS, viz:

Messrs. Bullock, Covington, Cowper, Ferebee, Keener, Latham, Leitch of Robeson, McCleese, Morehead, Pitchford, Wiggins and Williams—12.

A message was received from the House of Commons, concurring in the amendments to the bill (H. 29,) to qualify the Superior Court Clerks lately elected.

Ordered, To be enrolled.

The question again recurring upon the amended resolution (S. R. 6,) touching the amendment to the Constitution of the United States.

On motion of Mr. Morehead,

It was made the special order for to-morrow at 11 o'clock.

Mr. Donaho, from the committee to superintend the election of Comptroller, reported as follows, viz:

Whole number of votes cast 154. Necessary to a choice 78. Of which Mr. Brogden received 63; Mr. Cowles 52; Mr. Collins 38. No one having received a majority of the whole, there was no election.

The report was concurred in.

A bill (S. 22,) to prevent horse stealing, was read the second time, and the question was, upon the amendment of Mr. Gash, which was put and decided in the negative.

A message was received from the House of Commons proposing to go forthwith into the election for Public Comptroller.

The Senate concurring, the election was held under the superintendence of Messrs. Donaho and Isbell, with result as follows, viz:

The following Senators voted for Mr. COWLES, viz:

Messrs. Speaker, Arendell, Blount, Bogle, Boner, Boyd, Bynum, Coward, Donaho, Garner, Gash, Gorrell, Harris of Rutherford, Isbell, Jones of Columbus, Keener, Leach of Davidson, Morehead, Morgan, Shober, Snead, Warren and Williams—23.

The following Senators voted for Mr. BROGDEN, viz:

Messrs. Aycock, Black, Cowper, Eure, Faison, Ferebee,

Hall, Harris of Franklin, Howard, Latham, McCleese, McEachern, McLean, Stanford, Whitford, Wilson and Winstead—17.

The following Senators voted for Mr. COLLINS, viz:

Messrs. Bullock Covington, Leitch of Robeson, Pitchford and Wiggins—5.

The Senate resumed the consideration of the bill (S. 22,) to prevent horse stealing.

Mr. Howard moved to refer to the committee on the *Judiciary*.

Mr. Warren moved to lay on the table, and the question thereon was put and decided in the negative, there being counted ayes 17, nays 25.

Mr. Donaho, from the committee to superintend the election for Comptroller, reported as follows, viz:

Whole number of votes cast 153. Necessary to a choice 77. Of which Mr. Brogden received 80; Mr. Cowles 66; Mr. Collins 7. Mr. Brogden having received a majority of the whole was duly elected.

The report was concurred in.

The question now recurring upon the motion of Mr. Howard to refer the bill (S. 22,) to prevent horse stealing to the committee on the *Judiciary*, was put, and the Senate refused to refer.

Mr. Warren moved to lay on the table, and the question being thereon, was put, and,

Decided in the negative, { Yeas.....15 / Nays.....29

On motion of Mr. Morehead,

The yeas and nays being ordered,

Those who voted in the affirmative, are,

Messrs. Arendell, Black, Bogle, Boyd, Bynum, Faison, Garner, Hall, Harris of Rutherford, Jones of Columbus, Keener, Latham, Stanford, Warren and Wiggins.

Those who voted in the negative, are,

Messrs. Aycock, Blount, Boner, Bullock, Covington, Coward, Cowles, Cowper, Donaho, Eure, Ferebee, Gash, Gorrell, Harris of Franklin, Howard, Jones of Wake, Leach of Davidson, McCleese, McEachern, McLean, Morehead, Morgan, Pitchford, Sanders, Shober, Snead, Williams, Wilson and Winstead.

Mr. Howard moved to amend, by inserting after the word "*shall*," in the first clause, the words "*receive one or more whippings of thirty-nine lashes each, in the discretion of the Court, for the first offence, and for the second offence shall*," and the question being thereon, was put, and

Decided in the affirmative, { Yeas ..... 33, Nays ..... 12.

On motion of Mr. Morehead,

The yeas and nays being ordered,

Those who voted in the affirmative, are,

Messrs. Arendell, Black, Blount, Bogle, Boner, Boyd, Bullock, Bynum, Covington, Donaho, Eure, Faison, Ferebee, Garner, Gash, Hall, Harris of Franklin, Harris of Rutherford, Howard, Jones of Columbus, Keener, Latham, Leach of Davidson, Leitch of Robeson, McEachern, McLean, Morgan, Shober, Stanford, Warren, Wiggins, Wilson and Winstead.

Those who voted in the negative, are,

Messrs. Aycock, Coward, Cowles, Cowper, Gorrell, Jones of Wake, McCleese, Morehead, Pitchford, Sanders, Snead and Williams.

The question recurring upon the passage of the bill as amended its second reading,

On motion of Mr. Morehead,

It was laid on the table.

On motion of Mr. Hall,

The vote by which the Senate adopted a resolution to appoint a committee of three to encourage foreign emigration, was rescinded, and, upon his motion, the committee was

increased to five, and the resolution, as amended, was adopted.

The Speaker announced, as the committee under this resolution, Messrs. Hall, Howard, Warren, Shober and Bynum.

And then it being 2 o'clock and 30 minutes, the Senate,

On motion of Mr. Arendell,

Adjourned until to-morrow at 10 o'clock and 30 minutes.

FRIDAY, DECEMBER 15TH, 1865.

Prayer by the Rev. A. Smedes, D. D.

Reports from select and standing committees were submitted, received and filed as follows, viz:

Mr. Ferebee, from the committee on *Military Affairs*, submitted the following special report:

The committee on *Military Affairs*, who were instructed by a resolution of the Senate, to ascertain whether ammunition and arms can be immediately obtained for the State Militia, organized under a recent Ordinance of the Convention, have discharged that duty, and submit the following report:

The committee waited upon Maj. Gen. Thomas H. Ruger, commanding the Department of North Carolina, at his Headquarters in Raleigh, and laid before him a copy of the Senate resolution. At this interview, the committee stated, that in their opinion, much apprehension existed in the public mind of a meditated outbreak, or insurrectionary movement on the part of the negroes, during the approaching Christmas holidays; that these apprehensions proceeded from reports widely current, and believed not to be without foundation, of menacing language and unexplained and significant acts, expressions of discontent proceeding from many of them; and that this uneasiness was largely increased by the fact that in some localities, and especially in

the eastern part of the State, the whole white population, to a greater or less degree, has been deprived of their arms while on the other hand, the negroes, many of whom have been recently discharged from the military service of the United States, have arms. The committee further stated to Gen. Ruger, that even the police ordered for the several counties were imperfectly organized and poorly provided with arms, and it was important that arms should be supplied to them.

General Ruger received the committee with courtesy, and was frank and unreserved in the expression of his own views on the subject to which his attention had been invited. From any information which he had been able to obtain, he did not regard a projected insurrectionary movement among the freedmen as at all probable; and, if attempted, he believed the force under his command was adequate to any emergency likely to arise. He, however, stated that he would embody his answer to the Senate resolution in a written communication, addressed to the chairman of the committee on Military Affairs. This communication has since been received.

Failing in this attempt to procure arms and ammunition, for the purpose of enabling the Militia in this State, recently organized in each county under an ordinance of the Convention, as auxiliary to the police authorities, to more effectually suppress any insurrectionary movement, the committee know of no other source from which they can be immediately obtained. They have, therefore, instructed me to report the resolution back to the Senate, with the accompanying answer of Maj. Gen. Ruger, and asked to be discharged from the further consideration of the same.

D. D. FEREBEE, *Chm'n.*

HEADQUARTERS DEPARTMENT OF NORTH-CAROLINA,
Raleigh, N. C., December 14th, 1865.

HON. D. D. FEREBEE, *Chairman*
Senate Committee on Military Affairs, Raleigh, N. C.:

SIR: I have the honor to acknowledge receipt of copy of resolution, as follows:

"*Resolved*, That the committee on Military affairs be instructed whether or not ammunition and arms can be immediately obtained, with a view of enabling the militia of the State, (recently organized in each county, under an ordinance of the Convention, as auxilliaries to the police authorities,) to more effectually suppress any insurrectionary movement on the part of free negroes, should they attempt it, and report by bill or otherwise." And to reply to inquiry based thereon, I have no authority to order the issue of arms or ammunition to any militia organization of the State. The manner such issues are made by the General Government to the several States, is prescribed by act of Congress, and does not come within my province as Department Commander.

The use, as stated in the resolution, for which arms and ammunition are desired, is to suppress any insurrectionary movement on the part of the freedmen. The matter of a possible outbreak on the part of the freedmen, in certain parts of the State, during the season of the coming holidays, has been brought to my attention, but I have been unable to ascertain that there is any evidence of such intention on their part. There is sufficient force at the disposal of the military authorities to enforce order.

The concentration of all colored troops, whose presence has been a source of disquiet to the people of some localities, to the sea coast forts under recent orders, and the garrisoning of stations formerly occupied by them by white troops, should, when taken in connection with the fact that the troops will be so stationed as to be within easy reach of

all parts of the State, be sufficient to allay apprehension, to be inferred as existing, from the resolutions above quoted. The local police companies in localities where there are no troops stationed, would have authority to act in case of emergency, with the assistance if necessary of the people, could promptly suppress any attempted outbreak.

Very respectfully,

Your obedient servant,

THOS. H. RUGER,

Bvt. Maj. General Comd'g.

Mr. Faison, from the committee on conference in regard to fixing the salary of the Public Comptroller, reported that the committee were unable to agree, and asked to be discharged from the further consideration until the adjourned session of the Legislature.

Mr. Cowles, from the committee on *Claims*, reported (S. P. R. 9,) resolution in favor of Briggs & Dodd, with a recommendation that it do pass.

Mr. Jones of Columbus, from the committee on *Internal Improvements*, (H. 22,) bill for the relief of holders of State bonds issued since May 20th, 1861, under the act ratified 16th February, 1861, entitled "An Act to secure the completion of the Wilmington, Charlotte and Rutherford Railroad Company and amend its charter," with recommendation the same do pass.

Mr. Wiggins, from the committee on *Finance*, (S. 26,) bill to repeal section third of an ordinance passed by the Convention on the 18th October, 1865, to raise revenue, recommending the same do not pass.

Bills, etc., of the titles following, were introduced, passed first reading and were otherwise ordered as follows, viz:

From the House: (H. 53,) bill entitled an act to legalize certain proceedings of the Provisional Justices for Randolph county. Filed on the calendar.

From the House: (H. 34,) bill to amend an act entitled "An Act concerning the county site of Mitchell county," and repealing the same.

On motion of Mr. Gash,

The rules were suspended, and the bill passed the second and third readings.

Ordered to be enrolled.

From the House: (H. P. 23,) to incorporate Catawba Valley Lodge, No. 217, Free and Accepted Masons. Filed.

From the House: (H. P. 14,) for the relief of the citizens of Alexander county, who may be injured by the destruction of its Public Records. Filed.

By Mr. Bynum: (S. 47,) bill to amend an act entitled "An Act to incorporate the Western North-Carolina Railroad Company. Referred to the committee on *Internal Improvements.*

From the House: (H. P. 13,) bill to amend an act to incorporate the town of High Point in Guilford county, passed by the General Assembly at its session February, 1859. Filed.

From the House: (H. P. 25,) bill to authorize the Raleigh and Gaston Railroad to establish a Ferry at Gaston for the transportation of passengers and freight across the Roanoke River.

On motion of Mr. Howard,

The rules were suspended, and the bill passed its several readings.

Ordered, To be enrolled.

Mr. Williams moved to reconsider the vote by which the Senate laid on the table a bill (S. 22,) to prevent horse-stealing.

Mr. Wiggins moved to lay the motion to reconsider on the table, and the question thereon being put, and tellers appointed, was decided in the negative, yeas 10, nays 30.

The question being upon the motion of Mr. Morehead, it was decided in the affirmative.

The question then recurring upon the passage of the bill as amended, its second reading was put, and

Decided in the affirmative, { Yeas .....33 / Nays 11

On motion of Mr. Morehead,

The yeas and nays being ordered.

Those who voted in the affirmative, are,

Messrs. Aycock, Black, Bogle, Boner, Bullock, Bynum, Covington, Coward, Cowles, Cowper, Donaho, Eure, Ferebee, Garner, Gash, Gorrell, Harris of Franklin, Harris of Rutherford, Howard, Isbell, Jones of Wake, Keener, Leach of Davidson, McCleese, McEachern, McLean, Morgan, Pitchford, Shober, Whitford, Williams, Wilson and Winstead.

Those who voted in the negative, are,

Messrs. Arendell, Boyd, Faison, Hall, Jones of Columbus, Latham, Morehead, Sanders, Snead, Warren and Wiggins.

At 11 o'clock the Speaker announced the special order, viz: the resolution (S. R. 6,) touching the amendment of the Constitution of the United States, known as the 13th Article.

On motion of Mr. Bynum,

It was postponed until 1 o'clock.

On motion of Mr. Jones of Columbus,

H. 22, bill for the relief of holders of State bonds issued since May 20th, 1861, under an act ratified 16th February, 1861, entitled "An act to secure the completion of the Wilmington, Charlotte and Rutherford Railroad Company, and amend its charter, was taken from the calendar, and placed upon its passage.

Mr. Cowles demanded the yeas and nays, desiring to record his vote against the passage of the bill, but the demand was not sustained.

The bill passed its second reading, and, under a suspension of the rules, it passed the third reading.

Ordered to be enrolled.

On motion of Mr Jones of Columbus,

The title of the bill was amended, so as to read as follows:

A bill authorizing and directing the renewal of certain State bonds in the hands of the Wilmington, Charlotte and Rutherford Railroad Company.

On motion of Mr. Jones of Wake,

S. P. R. 9, resolution in favor of Briggs & Dodd, was taken from the calendar and considered, passed the second reading, and, under a suspension of the rules, passed the third reading.

Ordered to be engrossed.

On motion of Mr. Shober,

Leave of absence from and after to-day for the balance of the session was granted to Mr. Boner.

On motion of Mr. Harris of Rutherford,

Similar indulgence was granted to Mr. Bullock.

The hour having arrived at which the two Houses had agreed to receive the Governor elect, for the purpose of administering to him the oaths of office, the Senators repaired to the hall of the House of Commons.

The ceremony of administering the oaths of office to his Excellency, Jonathan Worth, having been completed, the Senators returned to their chamber, and were called to order by the Speaker.

Mr. Gash introdueed the following resolution, viz:

Resolved, That a message be sent to the House of Commons, proposing to rescind so much of the joint order on adjournment as relates to the convening of the General Assembly on the 1st Monday in February, and the 4th Monday of January substituted therefor.

The resolution was not adopted.

Mr. Gash introduced the following resolution, viz:

Resolved, That the time allowed to the Sheriffs of the State to make their return of taxes, which requires them to be made on or before the first day of February next, be extended to the second Monday in February, to enable the distant Sheriffs to send their returns by the members of the Legislature, on their return to the Capital.

Read first time and filed.

On motion of Mr. Morehead,

S. 27, to enable Sheriffs to collect arrearages of taxes, was taken from the table and considered.

The question being on the amendment of Mr. Blount, to insert after "*Sheriffs*" the words "*and Tax Collectors*," when

The Speaker announced the hour had arrived for the consideration of the special order on its third reading, viz: S. R. 6, resolution touching the amendment of the Constitution of the United States, known as the 13th Article, and the question thereon was put, and the resolution passed.

Ordered to be engrossed.

Mr. Howard introduced the following resolution, viz:

Resolved, That the *Judiciary* committee be instructed to enquire whether any legislation can be adopted with justice to the Sheriffs of the State, whereby the expense of making their returns in February next can be decreased.

Adopted.

And then it being 1 o'clock and 40 minutes,

On motion of Mr. Arendell,

The Senate adjourned until 10 o'clock and 30 minutes to-morrow.

SATURDAY, DECEMBER 16TH, 1865.

A message was received from the House of Commons concurring in the amendment to the title of (H. 22,) bill for the relief of the holders of State bonds issued since 20th May 1861, under the act ratified 16th February, 1861, entitled "An Act to secure the completion of the Wilmington, Charlotte and Rutherford Railroad Company, and amend its charter."

Mr. Jones of Columbus, from the committee on *Internal Improvements*, reported (S. 47,) bill to amend an act entitled "An Act to incorporate the Western North-Carolina Railroad Company, with a recommendation the same do pass.

On motion of Mr. Hall,

The bill was laid on the table until the first Monday in February next.

On motion of Mr. Howard,

The Senate took a recess for one hour.

At the expiration of the hour, the Senate was called to order by Mr. Leach of Davidson, Speaker *pro tem.*

Reports from standing committees were submitted and filed as follows, viz:

By Mr. Warren, from the committee on the *Judiciary*, asking to be discharged from the further consideration of a resolution of inquiry in relation to the collection of taxes, the subjects having been disposed of by the action of the Senate.

By Mr. Howard, from the same committee, S. 50, bill to decrease the expense of Sheriff's returns, recommending the passage of the same.

By Mr. Warren, from the same committee, S. 37, bill to authorize the Warden's of the Poor, to seize and sell the property of paupers, who are admitted to the Poor House of their respective counties, with an amendment, recommending the passage of the same.

S. 28, bill to repeal section 3, chapter 39, of an act passed at the first session of 1860–'61, entitled "An Act to diminish costs on Equity sales for partition, with the recommendation that the further consideration thereof be postponed until the next session of this Legislature.

Also asking to be discharged from the further consideration of a resolution requesting them to take into consideration the formation of a law, having for its object the protection and ease of debtors, &c., as there was a special committee on the subject.

By Mr. Bogle, from the same committee, asking to be discharged from the further consideration of resolution instructing the committee on the *Judiciary* to inquire into the propriety of so amending the law as to suppress more effectually the crime of horse stealing.

On motion of Mr. Howard,

Ordered, That so much of the sixteenth rule of the Senate as requires that no bill or resolution of a public nature shall be sent from the Senate until 12 o'clock the day succeeding its passage, be suspended for the day.

On motion of Mr. Howard,

The rules were suspended, and (S. 50,) a bill to decrease the expense of Sheriff's returns, was put upon its several readings, and passed its second reading.

It being read the third time, Mr. Gash moved to lay on the table, and the motion did not prevail, there being counted yeas 15, nays 15.

And the question recurring upon the passage of the bill, its third reading was put, and,

Decided in the affirmative, { Yeas 22
Nays 10

On motion of Mr. Morehead,

The yeas and nays being ordered,

The following Senators voted in the affirmative, viz:

Messrs. Arendell, Aycock, Blount, Boyd, Covington,

Cowles, Eure, Faison, Ferebee, Gorrell, Harris of Franklin Howard, Jones of Wake, Keener, McCleese, McLean, Morgan, Pitchford, Sanders, Warren, Whitford and Wiggins.

And the following voted in the negative, viz:

Messrs. Black, Bogle, Coward, Cowper, Garner, Gash, Hall, Jones of Columbus, Leitch of Robeson and Morehead.

A message was received from the House of Commons transmitting engrossed bills of the titles following, viz:

H. 17, bill to regulate the terms of the Supreme Court and for other purposes. Filed.

H. 19, bill to prevent the discontinuance of causes in certain cases. Filed.

H. 54, bill to repeal the tenth section of the twelfth chapter of the acts of the General Assembly, passed at its second extra session in the year 1861.

H. P. 10, bill to empower A. C. Latham, of Craven county to collect arrears of taxes.

On motion of Mr. Morehead,

Laid on the table.

H. P. 20, bill to amend an act passed at the session of 1850–'51, and amended at the sessions of 1854–'55 and 1858–'59, entitled "An Act to incorporate the Tuckasegee and Keowee Turnpike Company." Filed.

H. P. 22, bill to authorize the Mayor and Commissioners of Fayetteville to issue certificates of indebtedness and appoint assessors of taxables. Filed.

A message was also received from the House of Commons transmitting an engrossed bill (H. 56,) to declare valid certain elections and acts since May 20th, 1861.

On motion of Mr. Howard,

The rules were susdended, and the bill put upon its second and third readings.

It passed the second reading, and being read the third time,

Mr. Jones of Wake, moved to refer it to the committee on the *Judiciary*, and the question thereon was put, and

Decided in the negative, { Yeas, ...15, Nays,..... .....16.

On motion of Mr. Howard,

The yeas and nays being ordered,

Those who voted in the affirmative, are,

Messrs. Arendell, Blount, Bogle, Boyd, Coward, Cowles, Garner, Gash, Gorrell, Jones of Columbus, Jones of Wake, Leitch of Robeson, Morehead, Morgan and Warren.

And those who voted in the negative, are,

Messrs. Aycock, Covington, Cowper, Eure, Faison, Ferebee, Hall, Harris of Franklin, Howard, Keener, McLean, Pitchford, Sanders, Shober, Whitford and Wiggins.

Mr. Warren moved to postpone the further consideration of the bill until first Monday in February next, and it was

Decided in the negative, { Yeas .....16, Nays .....17.

On motion of Mr. Howard,

The yeas and nays being ordered,

Those who voted in the affirmative, are,

Messrs. Arendell, Black, Blount, Bogle, Coward, Cowles, Garner, Gash, Gorrell, Jones of Columbus, Jones of Wake, Keener, Leach of Davidson, Leitch of Robeson, Morgan and Warren.

Those who voted in the negative, are,

Messrs. Aycock, Boyd, Covington, Cowper, Eure, Faison, Ferebee, Hall, Harris of Franklin, Howard, McLean, Morehead, Pitchferd, Sanders, Shober, Whitford and Wiggins.

Mr. Arendell moved to adjourn until Monday morning at 6 o'clock, and the question was put, and

Decided in the negative, { Yeas .....15, Nays .....18.

On motion of Mr. Howard,

The yeas and nays being ordered,

Those who voted in the affirmative, are,

Messrs. Arendell, Black, Bogle, Boyd, Coward, Cowles, Garner, Gash, Gorrell, Jones of Columbus, Jones of Wake, Leach of Davidson, Leitch of Robeson, Morgan and Warren.

Those who voted in the negative, are,

Messrs. Aycock, Blount, Covington, Cowper, Eure, Faison, Ferebee, Hall, Harris of Franklin, Howard, Keener, McLean, Morehead, Pitchford, Sanders, Shober, Whitford and Wiggins.

Mr. Arendell moved to lay the bill on the table, and the question being put, was

Decided in the negative, { Yeas .....11, Nays .....15.

On motion of Mr. Ferebee,

The yeas and nays being ordered,

Those who voted in the affirmative, are,

Messrs. Arendell, Black, Boyd, Coward, Garner, Gorrell, Jones of Wake, Leach of Davidson, Leitch of Robeson, Morgan and Warren.

Those who voted in the negative, are,

Messrs. Aycock, Covington, Cowper, Eure, Faison, Ferebee, Hall, Harris of Franklin, Howard, McCheese, McLean, Morehead, Pitchford, Whitford and Wiggins.

Mr. Warren moved to adjourn until Monday morning at 6 o'clock, and the question thereon was put, and

No quorum voted, { Yeas ..... 3 Nays 16

On motion of Mr. Faison,

The yeas and nays being ordered,

Those who voted in the affirmative, are,

Messrs. Leach of Davidson, Leitch of Robeson and Warren.

Those who voted in the negative, are,

Messrs. Aycock, Covington, Cowper, Eure, Faison, Fere-

bee, Hall, Harris of Franklin, Howard, McCleese, McLean, Morehead, Pitchford, Shober, Whitford and Wiggins.

The Speaker announced that there was not a quorum of the Senate present.

Mr. Ferebee moved a call of the Senate.

Mr. Warren moved to adjourn, and the question thereon was put, and

Decided in the negative, { Yeas ..... 2 / Nays 14

On motion of Mr. Ferebee,

The yeas and nays were ordered,

The following voted in the affirmative, viz:

Messrs. Leach of Davidson and Warren.

And the following in the negative,

Messrs. Aycock, Covington, Cowper, Eure, Faison, Ferebee, Hall, Harris of Franklin, Howard, McCleese, Morehead, Pitchford, Whitford and Wiggins.

The question now recurring upon the motion for a call of the Senate, was put and decided in the affirmative.

The following Senators answered to their names, viz:

Messrs. Aycock, Covington, Cowper, Eure, Faison, Ferebee, Garner, Hall, Harris of Franklin, Howard, Jones of Columbus, Leach of Davidson, McCleese, Morehead, Pitchford, Warren, Whitford and Wiggins.

Absent with leave, Messrs. Boner and Bullock.

Messrs. Cowles and Sanders were absent, having paired off.

The following Senators were absent, viz:

Messrs. Speaker, Arendell, Black, Blount, Bogle, Boyd, Bynum, Coward, Donaho, Gash, Gorrell, Harris of Rutherford, Isbell, Jones of Wake, Keener, Latham, Leitch of Robeson, McEachern, McLean, Morgan, Shober, Snead, Stanford, Williams, Wilson and Winstead.

The doors were ordered to be closed, and the Speaker directed the Doorkeeper to go after absent Senators and

request their attendance, the Speaker *pro tem* (Mr. Leach of Davidson,) holding that he was not entirely satisfied of the power of the Senate to compel the attendance of absent Senators, or possessing the power the manner in which it could be exercised.

A quorum finally appearing,

On motion of Mr. Ferebee,

Ordered, That all further proceedings against absent Senators be dispensed with, and the doors be opened.

The question now recurring upon the passage of the bill (H. 56,) to declare valid certain elections and acts since May 20th, 1861, its third and last reading,

On motion of Mr. Warren,

It was postponed until the first Monday in February next.

The following Protest not being inserted at the proper place, December 2d, (see page 43) is herewith appended:

THE PROTEST OF D. D. FEREBEE, ESQ.,

Senator from the Second District, against the action of the Senate, in adopting the second section of the proposed amendment to the Constitution of the United States, upon the subject of slavery within the States. DECEMBER 2D, 1865.

I desire to set forth briefly, and to have the same spread upon the Journal of the Senate, some of the reasons why I non-concur in the action of the Senate, in adopting the proposed amendment to the Constitution of the United States, on the subject of slavery. In doing so, it is my desire to act, and to be so understood, in good faith and proper loyalty, in the discharge of all my duties and obligations to the Federal Government; and at the same time not to forget the obligations I owe, in an equal degree, to my State, to truth, and to humanity.

The amendment proposed to the Constitution of the United States, and which is submitted to us for our approval, is in the following words:

"Sec. 1st. Neither slavery, nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

"Sec. 2. Congress shall have power to enforce this article by appropriate legislation. [*Approved February 1st*, 1865."]

It is not denied that each of the Southern States, in obedience to the plan of reconstruction proposed by the President of the United States, acted in good faith in abolishing, and forever prohibiting the institution of slavery within its borders. It was a necessity required of them for readmission to the Union, and they accordingly submitted to it.

In his relation to government the slave bore a two-fold character—as property, and as a human being. The former has been given up—it has ceased—it will not again exist. In regard, then, to that relation of the negro, but little legislation is needed.

If, therefore, the first section *alone* were proposed and adopted, the objection to it would not be so great or so serious. All legislation for the negro, in either relation, would still be by the States. The Federal Government could have nothing to do with him, in his condition as property, except through the judiciary; and limited indeed would be the field over which that tribunal would be called to exercise its jurisdiction.

But the second section of the proposed amendment, presents another, and quite a serious, question. It proposes to legislate for the colored race, within the States, in all matters where it may be supposed they are restrained in their rights and privileges. If adopted, it is clearly seen what a boundless field will again be opened, where restless politicians—invoked by ambition—may act as trumpeters to animate the populace to discontent, turmoil and confusion. It would

open afresh, and with increased irritation, in the body politic, the wounds which all lovers of peace and order and Constitutional liberty, had fondly hoped were soon to be restored to permanent health and vitality.

The Congress of the United States never has had, and unquestionably should not now have, the right to control, by its legislation, the municipal regulations of a State, either as to individuals, or classes of individuals. These are properly, and exclusively, the subjects of State legislation. The power to legislate over such subjects, is among the reserved rights of the States. It is a legacy which the wisdom of our fathers did not deem proper to bestow on the Federal Government. They did not desire, or contemplate, a consolidated government.* The philosophy of government, and of history, they had studied with much profit and wisdom. Hence it was, that the history of ages was so successfully laid under requisition, to furnish principles for a government, which, while it guaranteed to each, the greatest personal liberty, compatible with happiness and the rights of man, would secure, at the same time, uniformity and permanency in its institutions and laws. That form of government, wrought up by their skilful hands, Minerva-like, seemed to have sprung into existence, in full shape and maturity. Under that government, the right to legislate for

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*It is true that the proceedings of the Convention which framed the Constitution, at an early period, intimated a wish, on the part of delegates for a NATIONAL, in contradistinction to a FEDERAL, Government. The gradual influence of public sentiment, however, upon the deliberations of that body, is clearly visible in the progressive development of the Federative feature. The Convention, at a later period of its session, directly and distinctly repudiated the word NATIONAL, and therein also the idea of a CONSOLIDATED Government. This is conclusively shown by the notes of "THE SECRET DEBATES" of the Convention, taken by Yates and Lansing. The following is an extract:

"June ten, met pursuant to adjournment. Present, eleven States.

Judge Ellsworth: I propose and move to expunge the word NATIONAL in the first resolve, and place in the room of it, "GOVERNMENT OF THE UNITED STATES," which was agreed to, MEM. CON."

our own domestic institutions—the right to make and enforce laws for the protection of our lives, our hearths, and our firesides—to say who shall testify in our courts, or sit in the jury box, or on our judicial benches—who shall be invested with the elective franchise—or whether the negro may be permitted to intermarry with the white race—these rights truly constitute, to the States, the very keystone in the arch, upon which rests the temple of liberty. The power to exercise all these rights by the Congress of the United States, will, doubtless, be claimed and used under that second section.

The freedom of the negro is a question of fact which every one will decide according to his peculiar ideas as to what constitutes freedom. The advocates of negro equality will, under this amendment, contend that he is not free, so long as there is a distinction or discrimination between him and the white man; they will insist that there shall be but one law common to both races.

It is further urged that the Constitutions of the Southern States, by reason of their sanction of slavery, are therefore anti-republican, and that we must approve this amendment, in order to be restored to the Union, and to be entitled to the protection of the Government. The occasion furnishes a pretext, rather than a reason, for this action of the Federal Congress. If the people of the Southern States were lawfully in the possession of slave property, and were entitled to the protection and regulation of the same under the Constitution, what circumstances have made *that right*, a *wrong?* The war could not do it. What was constitutionally *right* before the war, cannot, abstractly, be otherwise, after it. The war settled no principle of interpretation of the Constitution. If the Constitution of any State that sactioned slavery, was for that reason anti-republican after the war, it must have been equally so, before the war. If otherwise, what excuse could be rendered by the Federal Government

for delay so long to guaratee to the Southern States a republican form of government? It was a criminal neglect in them, if the present position be true.

But why call the national government a republic, if the toleration of slavery by the Constitution of a State, makes *it* anti-republican? There was a time, in the history of this country, when the Constitutions of all the States permitted slavery, and therefore, by present logic, they were not then republican in their form of government. The Federal Government being composed of "powers delegated" by the people of the States for the good of all, cannot, in its substance and spirit, differ from the donors. The argument therefore, so often used and persistently urged, that these Southern States are anti-republican, because of their pro-slavery constitutions, proves too much, and accordingly fails.

By giving our assent to this Constitutional amendment, we yield into the hands of Congress the right of a State to legislate for itself. When that right is once granted, it can never be recalled. By this donation, the States exhaust their powers, and render themselves, ever afterwards, impotent for self-protection. If Congress once begins to legislate for the States, it will never stop, until the power of the States to make laws for themselves, is entirely swept away. The beginnings of confusion, may indeed, be feeble enough; yet, in the history of this nation, we know not, but that we may see an infancy, still more feeble, "growing by moments into a strength to heap mountains upon mountains, and to wage war with Heaven itself." Better to be despised for too anxious apprehensions, than ruined by too confident a security.

To carry out the idea conveyed by the amendment, and such others of like import, as will undoubtedly be proposed, and our sanction asked, is to change the character of the government entirely. A revolution is demanded of us, in

all our social relations. It will not *then* be the government of our fathers, but something *new*, set up by indiscreet reformers, under the guidance of passion; nor will *it* be the fruit of calmess and reflection, but of that spirit of innovation, which is generally the result of a selfish temper and confined views. "People will not look forward to posterity who never look backward to their ancestors."

But why should the right to legislate for the freedmen be transferred to the Congress of the United States? To do so, is not alone to yield an important right which our ancestors wisely reserved to the States, but it is to bestow it where there is a less probability of its being exercised judiciously, than by the States. The negro will not be benefitted by it; it will add nothing to his comfort or his happiness. Here, he has grown up with his former owners; was the playmate of many of them. His habits, his peculiar temperament, his wants, both physical and moral, are better understood by us, than they possibly can be, by strangers. Nor should we forget the moral tie, which, at the South, binds the two races together. The Southern people are impulsive, with warm hearts, and generous motives. Their sympathies are deeper and more lasting—active over a wider field, and not so readily exhausted, as those of a people in a Northern clime. It is concluded, therefore, that the happiness of the negro—in all that constitutes his moral and physical comforts, and his general welfare—will not be promoted by yielding to the Congress of the United States, the right to legislate for him within the States.

But there is another serious objection, *just now*, to adopting this amendment. It is proposed at a time, when the Southern States are helpless to resist, and are, therefore, bound, to a great extent, to submit to dictation. Freedom of thought and action, is not permitted to them. A rod is held over the Southern States, to force them into abject submission. In this great and momentous crisis, we should feel

our way hesitatingly and cautiously, through the untried path, to a dark and eventful future. In this turmoil of passion, and the consequent confusion of ideas, an effort is made to allure the States into the sanction of a proposition which, in the hour of quiet and reflection, of peace and order, they would not hesitate to reject. Nothing is to be gained by this concession. The yielding of our outpost, will but increase the desire, and augment the power, for another attack upon reserved rights.

But what if after all our concessions—after the full and undisguised evidence of our loyalty to the Federal Government, and of our efforts to be restored to the Union, that we may participate in its legislative councils, our motives shall, even then, be impugned—our acts despised—our voice of entreaty be listened to with indifference—be rejected—be spurned?

It would indeed be a cheap consolation to say, we have been imposed on; that for our obedience and our loyalty, we have been rewarded, in turn, by bad faith.

We stand in a position of great peril. It is not the part of wisdom to suffer ourselves to be entrapped into giving up the sovereign right of a State to make its own laws. I cannot in this, or any other instance, suffer any cause, outside of a vital sense of duty, to control my action. No extraneous circumstances—no supposed contingency, can exempt me from the obligations imposed by truth and justice. Neither the hand of power, nor the allurements of place, shall work a forfeit of that obligation, which, in my judgment, honest action justly owes to intelligent reason, to honor, and to humanity.

For the reasons above assigned, I do protest against the action of the Senate, in adopting the second section of the proposed amendment to the Constitution of the United States upon the subject of slavery, and ask that the same may be spread upon the Journal of the Senate.

D. D. FEREBEE,
Senator from the Second District.

On motion of Mr. Eure,

At 4 o'clock and 15 minutes the Senate adjourned until Monday morning at 6 o'clock.

MONDAY, DECEMBER 18TH, 1865.

Six o'clock, A. M.

On motion of Mr. Morehead,

Mr. Shober was appointed Speaker *pro tem.*

On motion of Mr. Faison,

Ordered, That a message be sent to the House of Commons, stating that the hour agreed upon for the adjournment of the two Houses having now arrived, the Senate was prepared to adjourn accordingly.

Received a message from the House of Commons, concurring in the proposition of the Senate to adjourn until the 1st Monday in February next, in pursuance of the joint order heretofore made, and that the House would adjourn upon the return of the messenger.

Whereupon the Speaker *pro tem* adjourned the Senate until the first Monday in February, A. D., 1866.

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JOURNAL

OF THE

HOUSE OF COMMONS

OF THE

GENERAL ASSEMBLY

OF THE

OF NORTH CAROLINA,

AT ITS

SSIONS OF 1865-'66.

RALEIGH:
WILLIAM E. PELL, PRINTER TO THE STATE.
1865-'66.

JOURNAL

OF THE

HOUSE OF COMMONS.

At a General Assembly of the State of North-Carolina, begun and held at the Capitol, in the City of Raleigh, on Monday, the twenty-seventh day of November, in the year of our Lord one thousand eight hundred and sixty-five, and the ninetieth year of the independence of the United States of America, being the day appointed by a Convention of the people of North-Carolina for the meeting of the Legislature, the following members of the House of Commons appeared, exhibited their credentials, and were duly qualified according to law, viz:

Anson,	A. J. Dargan, Archibald Niven.
Ashe,	Matthew Carson.
Alamance,	R. Y. McAden, John A. Moore.
Alexander,	A. C. McIntosh.
Buncombe,	W. G. Candler.
Bladen,	J. J. D. Lucas.
Bertie,	P. T. Henry.
Brunswick,	Daniel L. Russell, Jr.
Burke,	J. B. Marler.
Cabarrus,	R. W. Allison.
Catawba,	James J. Mott.

Craven,	M. E. Manly, Samuel W. Chadwick.
Cumberland,	A. R. Smith, Duncan Shaw.
Chowan,	W. H. Bonner.
Columbus,	T. M. Smith.
Camden,	G. G. Luke.
Carteret,	M J. Davis.
Cherokee,	W. H. I. Dickey.
Caswell,	S. S. Harrison, P. Hodnett.
Chatham,	J. A. McDonald, R. D. Paschall, G. P. Moore.
Caldwell,	J. C. Harper.
Currituck,	J. J. Baxter.
Davidson,	S. S. Jones, Isaac Kinney.
Davie,	James McGuire.
Duplin,	T. S. Kenan, A. M. Faison.
Edgecombe,	Joseph H Hyman.
Forsythe,	Charles Teague, W. H. Wheeler.
Franklin,	P. S. Foster.
Granville,	W. H. Jenkins, E. B Lyon, Edward Dalby.
Guilford,	J. A. Houston, W. A. Caldwell, W. R. Smith.
Gates,	Wm. H. Lee.
Halifax,	H. Joyner, A. H. Davis.
Harnett,	Neill McKay.
Hyde,	Tilman Farrow.
Haywood.	William J. Wilson.
Henderson,	James Blythe.
Iredell,	L. Q. Sharpe, J. A. Rosebro.
Jackson,	Thadeus D. Bryson.
Jones,	F. G. Simmons.

Johnston,	Charles Beasley, John R. Coates.
Lenoir,	W. W. Dunn.
Mecklenburg,	J. M. Hutchison, Ro. D. Whitley,
Macon,	J. G. Crawford.
McDowell,	W. F. Craig.
Moore,	Wm. Black.
Montgomery,	E. J. Gaines.
Madison,	Lewis Palmer.
Nash,	N. W. Arrington.
Northampton,	J. W. Newsum, Jesse Flythe.
Orange,	S. F. Phillips, Ro. F. Webb.
Onslow,	A. J. Murrill.
Pasquotank,	John S. Burgess.
Perquimans,	David Cox.
Pitt,	E. C. Yellowley, W. L. Hanrahan.
Person,	S. C. Barnett.
Randolph,	Joel Ashworth, E. T. Blair.
Richmond,	John W. Cameron.
Rutherford,	Nathan Scoggin, J. M. Hamilton.
Rowan,	Moses L. Holmes, Luke Blackmer.
Robeson,	R. McNair, John H. McEachern.
Rockingham,	John Holderby, Jones W. Burton.
Sampson,	J. C Williams, Patrick Murphy.
Surry,	H M. Waugh.
Stokes,	William C. Matthews.
Stanly,	John Furr.
Tyrrell	Ephraim Leigh.
Union,	Jonathan Trull.
Wake,	Kenneth Rayner, R. K. Ferrell, A. F. Page.

Warren,	Thomas J. Judkins, William A. Jenkins.
Washington,	J. A. Melson.
Watauga,	Charles Potter.
Wayne,	J. H. Everett, W. T. Faircloth.
Wilkes,	Tyre York.
Yancy,	John W. Garland.
Yadkin,	George Nicks.

A quorum of the whole number of members being present, Mr. Waugh, of Surry, moved that the House proceed to the election of Speaker, which was agreed to; and he nominated for that office Samuel F. Phillips, of Orange.

No other nomination being made, Mr. Phillips, on further motion of Mr. Waugh, was declared unanimously elected by the House, and was conducted to the Chair by Messrs. Manly and Waugh.

On motion of Mr. Henry, the House agreed to proceed to the election of Principal Clerk.

Mr. Lyon nominated Edward Cantwell, of Granville, for that office, and, on motion of Mr. Blackmer, the name of Seaton Gales, of Wake, was added to the nomination.

The House thereupon voted as follows, under the superintendence of Messrs. Blackmer and Lyon:

For Mr. Gales—Messrs. Speaker, Allison, Ashworth, Barnett, Beasley, Blackmer, Bonner, Burton, Caldwell, Candler, Carson, Crawford, Craig, Cameron, Dargan, Davis, of Carteret, Dunn, Dickey, Dalby, Farrow, Faircloth, of Wayne, Flythe, Foster, Furr, Ferrell, Gaines, Holderby, Harrison, Hodnett, Houston, Hanrahan, Hamilton, Holmes, Joyner, Jones, Judkins, Kinney, Lee, of Gates, Leigh, of Tyrrell, McAden, Moore, of Alamance, Marler, Manly, Mott, Melson, McGuire, Murrill, McEachern, McNair, Newsom, Niven, Nicks, Potter, Palmer, Rayner, Rosebro', Russell, Smith, of Columbus, Smith, of Cumberland, Smith, of Guil-

ford, Simmons, Shaw, Sharpe, Trull, Teague, Wheeler, Webb, Waugh, Williams, Whitley, Yellowley, York—72.

For Mr. Cantwell—Messrs. Arrington, Baxter, Blythe, Bryson, Black, Burgess, Chadwick, Cox, Davis, of Halifax, Everett, Faison, Harper, Hutchison, Jenkins, of Granville, Jenkins, of Warren, Kenan, Luke, Lyon, McIntosh, Moore, of Chatham, Murphy, Paschall, Page and Wilson—24.

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

The House then resolved, on motion of Mr. Rayner, to go into n election for Assistant Clerk.

Mr. Rayner nominated Theophilus H. Hill, of Wake, and Mr. Henry added the name of W. M. Hardy, of Buncombe.

The House voted as follows:

For Mr. Hardy—Messrs. Speaker, Allison, Arrington, Barnett, Baxter, Black, Blackmer, Bryson, Bonner, Burgess, Cameron, Caldwell, Carson, Candler, Crawford, Craig, Chadwick, Cox, Davis, of Halifax, Davis, of Carteret, Dargan, Faircloth, Farrow, Faison, Foster, Gaines, Garland, Harper, Harrison, Henry, Hodnett, Hyman, Hutchison, Houston, Holmes, Jenkins, of Warren, Joyner, Jones, Kenan, Kinney, Lee, of Gates, Leigh, of Tyrrell, Luke, Manly, Melson, Mott, McAden, McNair, McEachern, Marler, Moore, of Alamance, McIntosh, McGuire, McKay, Murrill, Niven, Nicks, Palmer, Paschall, Rosebro', Sharpe, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Simmons, Shaw, Trull, Williams, Wilson, Webb, Whitley, Yellowley and York—73.

For Mr. Hill—Messrs. Ashworth, Blair, Beasley, Burton, Blythe, Coates, Dalby, Dickey, Dunn, Furr, Ferrell, Hamilton, Holderby, Henrahan, Jenkins, of Granville, Judkins, Lyon, Matthews, Moore, of Chatham, Murphy, Newsom, Page, Potter, Rayner, Russell, Scoggin, Teague, Wheeler and Waugh—29.

Mr. Hardy, having received a majority of the whole num-

ber of votes given, was declared duly elected Assistant Clerk.

Mr. Waugh moved that the House do now proceed to the election of Principal Doorkeeper, and nominated therefor H. B. Kingsbury, of Forsythe. There being no further nomination, Mr. Kingsbury was, on motion by Mr. Dargan, declared unanimously elected.

Mr. McKay moved that the House do next go into an election for Assistant Doorkeeper, and placed in nomination Jno. Hill, of Randolph.

Mr. Everett nominated Bennett Barnes, of Wilson.

The House voted as follows :

For. Mr. Hill—Messrs. Speaker, Allison, Ashworth, Beasley, Black, Bryson, Blair, Blackmer, Burton, Blythe, Bonner, Carson, Candler, Craig, Crawford, Coates, Cox, Caldwell, Dargan, Davis, of Carteret, Davis, of Halifax, Dalby, Dickey, Dunn, Faison, Foster, Farrow, Ferrell, Furr, Flythe, Gaines, Garland, Henry, Houston, Harrison, Hamilton, Hodnett, Harper, Holderby, Holmes, Jones, Joyner, Jenkins of Granville, Judkins, Kinney, Leigh, of Tyrrell, Lee of Gates, Lyon, Melson, Mott, Moore, of Chatham, Moore, of Alamance, McAden, McIntosh, McGuire, McKay, Matthews, Murphy, Murrill, Nicks, Paschall, Page, Palmer, Potter, Rosebro', Russell, Shaw, Smith, of Guilford, Sharpe, Scoggin, Simmons, Trull, Teague, Wilson, Wheeler, Waugh and York—77.

For Mr. Barnes—Messrs. Arrington, Baxter, Barnett, Burgess, Cameron, Chadwick, Everett, Faircloth, Hyman, Hutchison, Jenkins, of Warren, Kenan, Luke, McEachern, McNair, Marler, Manly, Niven, Newsom, Smith, of Columbus, Smith, of Cumberland, Whitley, Webb, Williams and Yellowley—25.

Mr. Hill, having received a majority of the whole number of votes given, was declared duly elected Assistant Doorkeeper.

Mr. Waugh moved that the House do now adjourn until

to-morrow morning, 11 o'clock, but withdrew the motion in order to allow Mr. Holderby to introduce the following resolution :

Resolved, That the Speaker be requested to invite the Clergy of this City to officiate as Chaplains to this House, and that they alternate as may suit their convenience.

Mr. Waugh then renewed his motion, and the House adjourned until to-morrow morning, 11 o'clock.

TUESDAY, NOVEMBER, 28TH, 1865.

The following members elect appeared, produced their credentials, were duly qualified and took their seats, viz :

J. B. Faircloth, of the County of Greene ; John F. Hoke, of the County of Lincoln ; David A. Jenkins, of the County of Gaston ; James E. Moore, of the County of Martin ; Lewis Thompson, of the County of Bertie ; Kenneth Thigpen, of the County of Edgecombe ; and William Stilly, of the County of Beaufort.

The resolution offered by Mr. Holderby, on yesterday, relative to the invitation to the Clergy to open the sessions of the House with prayer, was taken up and adopted.

On motion of Mr. McKay, the Speaker was directed to appoint a committee of five to prepare rules for the government of the House.

And, thereupon, the Speaker announced Messrs. McKay, Manly, Thompson, Blackmer and Waugh as composing said committee.

On motion of Mr. Henry, it was

Ordered, That the rules for the government of the House of Commons, adopted during the session of the Legislature of 1860–'61, be taken for the government of this body until the report of the Committee.

Mr. Moore, of Alamance, offered the following resolution, viz :

Resolved, That a Committee of three be appointed to examine into the legal qualifications of R. Y. McAden, a member duly elected from Alamance County to a seat in the House of Commons, and that the committee be requested to report to the House at its earliest convenience.

Which was adopted ; and the Speaker designated the following gentlemen as composing said committee, viz : Messrs. Blackmer, Jenkins, of Warren, and Faircloth, of Wayne.

On motion of Mr. Waugh, a message was ordered to be sent to the Senate, informing that body of the due organization of this House and its readiness to proceed to the despatch of public business ; and,

On further motion of Mr. Waugh, it was proposed to send a message to the Senate, offering to raise a joint select committee, to consist of five members upon the part of this House, and three on the part of the Senate, to prepare joint rules for the government of the two Houses during the present session. Laid over.

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

WEDNESDAY, November, 29th, 1865.

Prayer by Rev. Dr. Craven.

Mr. J. W. Gidney, member elect from the County of Cleaveland, Mr. J. R. Logan, also member elect from the County of Cleaveland, and Mr. Phineas Horton, member elect from the County of Wilkes, appeared, produced their credentials, were qualified and took their seats.

On motion of Mr. Henry, it was

Ordered, That a committee of three be appointed by the Speaker of this House to wait upon Lieutenant Gen. Grant, at present in this City, and extend to him the courtesy of a seat upon this floor.

Whereupon, the Speaker designated, as said committee, Messrs. Henry, Manly and Blackmer.

Mr. McKay, from the committee appointed on yesterday to prepare rules for the government of this House, during the present session, reported the following

RULES AND ORDER OF CONDUCTING THE BUSINESS IN THE HOUSE OF COMMONS.

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, 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 decorum and order; 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 distinctly put in this form, namely: "As many are of the opinion that, (as the question may

be,) say Aye ;" and, after the affirmative voice has been expressed, " As many as are of the contrary opinion, 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 adjournment, except in case of sickness.

7. All Committees shall be appointed by the Speaker, unless otherwise specially ordered by the House.

8. In all elections the Speaker shall vote. In other cases he shall not vote, unless the House be equally divided, or unless his vote, if given in the minority, will make the division equal ; in case of such equal division, the question shall be lost.

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 of 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, and such gentlemen as have been members of either House of the Legislature, or of the Conventions of the people of the State, shall be admitted within the Hall of the House.

12. Stenographers, wishing to take down debates, may be admitted by the Speaker, who shall assign such places

) them on the floor, or elsewhere, to effect their object, as ıall not interfere with the convenience of the House.

ORDER OF BUSINESS OF THE DAY.

13. After the reading of the Journal of the preceding ay, the House shall proceed to business in the following rder, viz: 1st, the receiving petitions, memorials, pension ertificates, and papers addressed either to the General Assembly or to the House; 2d, the reports of Standing Committees; 3d, the reports of Select Committees; 4th resolutions; 5th, bills; 6th, bills, resolutions, petitions, memorials, messages, pension certificates, and other papers on he table. Then the orders of the day; but motions and ıessages to elect officers shall always be in order.

14. The unfinished business, in which the House was engaged at the last preceding adjournment, shall have preferıce of orders of the day, and no motion or any other buıess shall be received, without special leave of the House, ntil the former is disposed of. All elections by the House nall be *viva voce*, unless there be but one nominee; in which ıse appointments may be made on motion, and, on such ections, the roll shall be called a second time for absentees efore the result is announced.

OF DECORUM AND DEBATES.

15. When any member is about to speak in debate, or eliver any matter to the House, he shall rise from his seat and respectfully address himself to the Speaker.

16. When the Speaker shall call a member to order, he 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 o 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 the leave of the House; and if the case in the judgment of the House require it, he shall be liable to its censure.

17. When two or more members rise at the same time, the Speaker shall name the member to speak.

18. No member shall speak more than twice on the same question, without leave of the House.

19. Whilst the Speaker is putting any question, or addressing the House, no person shall speak, stand up, or walk out or across the House; nor, when a member is speaking, entertain private discourse, stand up, or pass between him and the Chair.

20. No member shall vote on any question touching his right to a seat in the House, or on the passage of any private bill or resolution, in the event of which he is immediately and directly interested, or in the case where he was not present when the question was put by the Speaker. Upon a division and count of the House on any question, no member without the bar shall be counted.

21. Every member who shall be in the House when the question is given, shall give his vote, unless the House, for special reasons, shall excuse him.

22. 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 Clerk before debated.

23. Every motion shall be reduced to writing, if the Speaker or any two members desire it.

24. After a motion is stated by the Speaker, or read by the Clerk, it shall be deemed to be in the possession of the House, but may be withdrawn before a decision or amendment, except in case of a motion to reconsider, which mo-

tion, 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.

25. When a question is under debate, no motion shall be received but to adjourn, to lay on the table, to postpone indefinitely, to postpone to a 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.

26. 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.

27. When a question is postponed indefinitely, the same shall not be acted upon again during the session.

28. Any member may call for a division of the question when the same shall admit of it, which shall be determined by the Speaker.

29. 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, and no motion to reconsider shall be taken from the table except by a two-thirds vote.

30. When the reading of a paper is called for, 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.

31. 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, un-

less the House shall direct otherwise, but shall lie on the table, to be taken up in the order they were read.

32. No bill, petition, memorial, or other papers that may be introduced, shall be taken out of the possession of the House, or sent to the Senate, until the time of reconsideration shall have elapsed.

33. When the yeas 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 yeas and nays; and in taking the yeas and nays, or on a call of the House, the names of the members shall be taken alphabetically.

34. No member shall be called upon for words spoken in the House, but on the day they were spoken. Decency of speech shall be observed, and personal reflections carefully avoided.

35. Any fifteen members, including the Speaker, shall be authorized to compel the attendance of absent members.

36. No member or officer of the House shall absent himself from the service of the House, without leave, unless from sickness or inability.

37. 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.

38. 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.

39. No standing rule or order shall be rescinded, altered, or suspended, without one day's notice given of the motion thereof; and to sustain such motion, two-thirds of the House shall be required.

40. 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.

COMMITTEES.

41. Upon 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 they appear, or may be sent for and taken into custody wherever to be found, by special messengers appointed for that purpose.

42. Seven Standing Committees shall be appointed at the commencement of the session, viz: a Committee on Claims, a Committee on Propositions and Grievances, a Committee on Education, a Committee on Agriculture, a Committee on Internal Improvements, a Committee on Privileges and Elections, and a Committee on Corporations. Each of said Committees shall consist of eleven members, one from each Congressional District, and one at large, to be appointed by the Speaker. In addition to the above Standing Committees, the Speaker shall appoint another—two members from each Judicial Circuit—to be denominated the Committee on Private Bills.

43. A Select Standing Committee, consisting of eleven members, shall be appointed at the commencement of the session by the Speaker, and be denominated "the Committee on the Judiciary." There shall also be appointed on Monday of each week, a Select Committee of three, to be known as the Committee on Engrossed Bills, whose duty it shall be to examine all bills engrossed by order of the House.

44. Select Committees shall consist of five members. It shall be the duty of the persons first named on any Committee to cause the members of the Committee to convene when ne-

cessary, and when so convened, they may appoint some one of their number Chairman.

45. 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.

46. Upon bills 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.

47. All questions, whether in Committee or in the House, shall be propounded in the order in which they were moved, except that, in filling up blanks, the largest sum and longest time shall be first put.

48. 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.

49. 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.

OF BILLS, RESOLUTIONS, ETC.

50. Every bill shall be introduced by motion for leave, or by order of the House on the report of a Committee.

51. 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; and, if opposition be made to it, the question shall be, "Shall this bill be reject-

ed?" If no opposition be made, or if the question to reject be negatived, the bill shall go to its second reading without question.

52. Upon the second reading of the bill, the Speaker shall state it as ready for commitment or amendment.

53. The Clerk of the House shall keep a *separate* calendar of the *public and private* bills, in the order in which they are introduced; and all *private bills and private business only shall be considered on Saturday of each week, and then in preference to all other business, unless the House shall otherwise direct—and all bills shall be disposed of in the order they stand upon the calendar, except the revenue bill, and bills otherwise specially ordered.* No public bill shall be twice read on the same day without the concurrence of two-thirds of the members present.

54. 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.

55. When a bill is introduced to repeal a public law, or any part thereof, the law, or part intended to be repealed, shall be read at the second reading of the repealing bill; and shall not be read at any other reading of the said repealing bill, unless required by one-third of the House.

56. When a bill has been once rejected, no other of the same purport shall be introduced again during the session.

57. The Clerk of the House shall be deemed to continue in office until another is appointed.

Which report was concurred in.

A message was received from the Senate, announcing the due organization of that body, and its readiness to proceed to the transaction of business.

Mr. Henry, from the committee appointed to wait upon Lieut. Gen. Grant, reported that that distinguished officer would visit the House of Commons, and pay his respects to the body, at the hour of twelve.

Mr. Blackmer, from the committee appointed to examine into the legal qualifications of Rufus Y. McAden, member elect from the county of Alamance, submitted the following report, which was unanimously concurred in, viz:

"The committee appointed to inquire into, and report upon, the right of R. Y. McAden to a seat in the House of Commons, have had the matter under consideration, and submit the following report:

From the affidavit of R. Y. McAden, and from the testimony of a disinterested witness, we have obtained the following facts:—Mr. McAden is more than twenty-one years of age, is a native of North-Carolina, has always resided in the State, and has been a citizen of Alamance county for five years or more. He was regularly elected as a representative from his county, at the election ordered by the late Convention, and received a certificate of his election from the Provisional sheriff of his county. The Amnesty oath was taken by him, the certificate of which, signed by the Provisional Justices of the Peace of the county, was produced before us, and he was permitted to vote in the subsequent elections. He is not excluded from the benefit of the Amnesty Proclamation of the President of the United States, issued on the 29th day of May last.

Shortly after the date of the President's Proclamation, Mr. McAden became uneasy about the 13th clause thereof, not knowing at what date the value of property would be estimated; well knowing that, at the commencement of the year, he was worth more than twenty thousand dollars, most of which he had lost during the war.

After mature deliberation, and by the advice of a member of the Provisional Government in this city, he concluded, through abundant caution, to make application for a special pardon, for the reason that he *might* be worth twenty thousand dollars. In his petition, he stated that his estate consisted of

land, bank stock, and North-Carolina war bonds, and, owing to the probable worthlessness of this stock and bonds, he did not believe he was worth the amount necessary to exclude him from the benefit of the Amnesty Proclamation, but if, by any mode or time of estimation, he might be worth twenty thousand dollars, he desired a special pardon.

After having sent his petition forward, it was announced by His Excellency, Gov. Holden, that the estimated value of property on the 29th May, 1865, would be the guide in all cases coming under the 13th section of the Amnesty Proclamation; and Mr. McAden gave himself no further trouble about the case. The Justices of the Peace, who gave him the certificate of having taken the Amnesty oath, well knew that he had applied for a special pardon, but they permitted him to take the oath, and gave him a certificate—they being satisfied that he was not worth twenty thousand dollars at the close of the war.

For these reasons, your committee are satisfied that Mr. McAden was entitled to take, and has a right to hold, his seat as a member of this House. Your committee would, therefore, recommend the adoption of the following resolution:

Resolved, That R. Y. McAden is legally entitled to his seat as a member of the House of Commons, from the county of Alamance.

All of which your committee respectfully submit, and ask to be discharged.

LUKE BLACKMER,
WM. A. JENKINS,
W. T. FAIRCLOTH."

On motion of Mr. Manly, it was

Ordered, That, in order to complete the further organization of the two Houses, a message be sent to the Senate, proposing to ballot forthwith for three Engrossing Clerks.

The following gentlemen were placed in nomination: By Mr. Manly, E. B. Freeman, and Chas. M. Busbee, of Wake; by Mr. Waugh, Jno. A. Hampton, of Yadkin; by Mr. Everett, Bennett Barnes, of Wayne; by Mr. Joyner, Erasmus Page, of Wake; by Mr. McKay, M. J. McSween, of Richmond; by Mr. Sharpe, Jas. A. Moore, of Wake; and by Mr. Jones, John Boner, of Forsythe.

A message was received from the Senate, proposing to go forthwith into an election for Public Printer, and informing this body that the names of Wm. E. Pell and Jos. W. Holden were in nomination; which was concurred in, and Messrs. Ferrell and Luke were appointed a committee to superintend the election on the part of the House.

The House thereupon voted as follows:

For Mr. Pell—Messrs. Speaker, Allison, Arrington, Barnett, Baxter, Bonner, Caldwell, Cameron, Chadwick, Cox, Crawford, Dalby, Dargan, Davis, of Carteret, Davis, of Halifax, Everett, Farrow, Faison, Foster, Furr, Gaines, Gidney, Harper, Henrahan, Holmes, Honston, Hyman, Jenkins, of Warren, Jones, Joyner, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Luke, Marler, McAden, McGuire, McIntosh, McNair, Melson, Moore, of Alamance, Moore, of Martin, Mott, Murphy, Niven, Rosebro', Russell, Sharpe, Shaw, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Teague, Thigpen, Webb, Whitley, Williams, Wilson and Yellowley—61.

For Mr. Holden—Messrs. Ashworth, Beasley, Black, Blair, Blythe, Bryson, Burgess, Burton, Candler, Carson, Coates, Dickey, Dunn, Faircloth, of Greene, Ferrell, Flythe, Garland, Hamilton, Harrison, Hodnett, Holderby, Horton, Jenkins, of Gaston, Jenkins, of Granville, Kinney, Lyon, Matthews, McDonald, Moore, of Chatham, Nicks, Newsum, Palmer, Paschall, Potter, Stilly, Scoggin, Thompson, Trull, Waugh and York—40.

A message was received from the Senate, proposing that a

committee of two be appointed, on the part of each House, to wait upon His Excellency, the Provisional Governor, and inform him that the two Houses are fully organized and are ready to receive any communication he may have to make.

The proposition was concurred in, and Messrs. Wheeler and Page designated as the committee on the part of the House.

Mr. Luke, from the committee appointed to superintend the election of Public Printer, reported that the whole number of votes cast by the two Houses was 147; necessary to a choice 74; that Wm. E. Pell had received 86 votes and Joseph W. Holden 61.; and that Wm. E. Pell was therefore duly elected.

A message was received from the Senate, announcing Messrs. Leitch and Harriss as the committee on their part to wait upon His Excellency, the Provisional Governor.

Mr. McAden introduced the following resolutions, viz :

RESOLUTIONS ADOPTING THE CONSTITUTIONAL AMENDMENT ABOLISHING SLAVERY WITHIN THE UNITED STATES.

Whereas, The Congress of the United States, by joint resolution approved on the 1st day of February, A. D., 1865, proposed an amendment to the Constitution of the United States, for the ratification of the Legislatures of the several States, which amendment is in the following words, to wit:

"Art. 13, sec. 1. Neither slavery, nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Sec. 2. Congress shall have power to enforce this article by appropriate legislation."

"Approved Feb. 2nd, 1865."

Resolved, Therefore, by the Senate and House of Commons of the General Assembly of the State of North-Carolina, that the aforesaid proposed amendment of the Constitution of the

United States he and the same is hereby accepted and ratified by this State.

Resolved, That a certified copy of the foregoing preamble and resolution be forwarded by His Excellency, the Provisional Governor, to His Excellency, the President of the United States, and also to the Secretary of the State of United States.

Mr. Hutchison offered the following as an additional resolution, viz:

Resolved, That any legislation by Congress upon the political status of freedmen, or their civil relations, would be unauthorized by the Constitution of the United States, as it now is, or as it would be changed by the proposed amendment, in opposition to the policy of the President declared in the amnesty proclamation, and to the restoration of that harmony upon which depend the welfare and prosperity of the Republic.

At this moment, Gen. Grant entered the Hall, was received by the members standing, appropriately welcomed by the Speaker, and, on motion of Mr. Wilson, a recess of fifteen minutes was taken in order to afford opportunity for the usual interchange of civilities.

A message was received from the Senate, concurring in the proposition to go at once into an election for three Engrossing Clerks, and naming Messrs. Garner and Donaho as the committee on their part to superintend the election.

Messrs. Webb and Horton were designated as the committee on the part of the House, and it proceeded to vote as follows:

For Mr. Freeman—Messrs. Speaker, Allison, Arrington, Barnett, Beasley, Black, Blackmer, Blair, Blythe, Bonner, Burgess, Burton, Caldwell, Cameron, Candler, Carson, Chadwick, Coates, Craige, Crawford, Dalby, Davis, of Carteret, Davis, of Halifax, Dickey, Everett, Faircloth, of Greene, Faircloth of Wayne, Ferrell, Flythe, Foster, Furr, Gaines, Gidney,

Hamilton, Harper, Harrison, Henry, Hodnett, Holderby, Hoke, Holmes, Houston, Hutchison, Jenkins, of Gaston, Jenkins, of Granville, Jenkins, of Warren, Joyner, Judkins, Kinney, Lee, of Gates, Leigh, of Tyrrell, Logan, Manly, Marler, Matthews, McAden, McDonald, McEachern, McGuire, McIntosh, McKay, McNair, Melson, Moore, of Alamance, Moore, of Chatham, Moore, of Martin, Mott, Murrill, Niven, Nicks, Newsum, Page Palmer, Potter, Rosebro, Russell, Sharpe, Simmons, Smith, of Columbus, Smith, of Guilford, Stilly, Scoggin, Thigpen, Thompson, Trull, Webb, Wheeler, Whitley, Williams, Wilson, Yellowley and York—92.

For Mr. Barnes—Messrs. Allison, Barnett, Baxter, Beasley, Blackmer, Bonner, Bryson, Burgess, Chadwick, Cox, Crawford, Davis, of Carteret, Dunn, Everett, Faircloth, of Wayne, Faircloth, of Greene, Faison, Furr, Garland, Harper, Harrison, Henrahan, Hodnett, Holmes, Hutchison, Jenkins, of Gaston, Jenkins, of Granville, Kenan, Kinney, Lee, of Gates, Leigh, of Tyrrell, Lucas, Luke, Lyon, Manly, McEachern, McNair, Moore, of Martin, Murphy, Murrill, Nicks, Potter, Russell, Shaw, Stilly, Teague, Thigpen, Trull, Waugh, Whitley, Williams, Wilson and Yellowley—53.

For Mr. McSween—Messrs. Ashworth, Baxter, Black, Blair, Blythe, Bryson, Caldwell, Cameron, Candler, Carson, Chadwick, Cox, Crawford, Davis, of Carteret, Dickey, Dunn, Faison, Flythe, Gaines, Garland, Gidney, Hamilton, Henry, Horton, Hyman, Jones, Kenan, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Lyon, McAden, McDonald, McEachern, McIntosh, McKay, McNair, Melson, Moore, of Alamance, Moore, of Martin, Mott, Murphy, Niven, Newsum, Paschall, Russell, Shaw, Simmons, Smith, of Columbus, Smith, of Cumberland, Stilly, Scoggin, Thompson, Trull, Waugh, Webb, Whitly, Williams and Yellowley—61.

For Mr. Hampton—Messrs. Arrington, Ashworth, Barnett, Baxter, Blair, Blythe, Burton, Candler, Carson, Craige, Dargan, Dickey, Dunn, Faircloth, of Wayne, Faison, Furr, Garland,

Hamilton, Harper, Holderby, Hoke, Horton, Houston, Hyman, Jenkins, of Granville, Jones, Kinney, Matthews, McDonald, McGuire, McIntosh, McKay, Moore, of Chatham, Mott, Palmer, Potter, Rosebro', Sharpe, Simmons, Smith, of Guilford, Scoggin, Teague, Waugh, Wheeler and York—45.

For Mr. Busbee—Messrs. Speaker, Allison, Arrington, Black, Blackmer, Bonner, Caldwell, Cameron, Dargan, Everett, Ferrell, Flythe, Gaines, Gidney, Henrahan, Holmes, Houston, Hutchison, Hyman, Jenkins, of Gaston, Jenkins, of Warren, Jones, Joyner, Judkins, Kenan, Logan, Lucas, Manly, Marler, Murphy, Murrill, Newsum, Paschall, Shaw, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Thigpen and Wilson—39.

For Mr. Moore—Messrs. Speaker, Ashworth, Beasley, Burgess, Cox, Craige, Dalby, Davis, of Halifax, Ferrell, Foster, Harrison, Henrahan, Henry, Hodnett, Horton, Jenkins, of Warren, Judkins, Luke, Lyon, Marler, McAden, McGuire, Melson, Moore, of Alamance, Niven, Page, Palmer, Paschall, Rosebro', Sharpe, Thompson, Webb and Wheeler—33.

For Mr. Page—Messrs. Bryson, Dalby, Davis, of Halifax, Faircloth, of Greene, Foster, Hoke, Joyner, Moore, of Chatham, Page and Smith, of Cumberland—10.

For Mr. Boner—Messrs. Burton, Coates, Holderby, Matthews and Teague—5.

Mr. Wheeler, from the committee appointed to wait upon the Provisional Governor, reported that he would transmit a communication to the Legislature at 12 o'clock, M., to-morrow.

The question recurring on the passage of Mr. Hutchison's amendment, it was rejected; yeas 10, nays 85.

Those who voted in the affirmative were: Messrs. Arrington, Everett, Faison, Hutchison, Kenan, Manly, McIntosh, Moore, of Martin, Simmons and Thigpen.

Those who voted in the negative were: Messrs. Allison, Ashworth, Barnett, Beasley, Black, Blackmer, Blair, Blythe, Bryson, Burgess, Burton, Caldwell, Cameron, Candler, Carson,

Chadwick, Coates, Craige, Crawford, Dalby, Dickey, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Ferrell, Flythe, Foster, Furr, Gaines, Garland, Gidney, Hamilton, Harper, Harrison, Henry, Hodnett, Holderby, Holmes, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Judkins, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Lyon, Marler, Matthews, McAden, McDonald, McEachern, McGuire, McKay, Melson, Moore, of Alamance, Moore, of Chatham, Mott, Murrill, Niven, Nicks, Newsum, Page, Palmer, Paschall, Potter, Rosebro', Russell, Sharpe, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Stilly, Scoggin, Teague, Thompson, Trull, Waugh, Wheeler, Williams, Wilson, Yellowley and York.

Mr. Wilson moved to postpone the further consideration of the resolutions until to-morrow, 1 o'clock, P. M., which motion was not carried.

The resolutions of Mr. McAden were then adopted; yeas 100, nays 4,

Those who voted in the affirmative were:

Messrs. Allison, Arrington, Ashworth, Barnett, Baxter, Beasley, Black, Blackmer, Blair, Blythe, Bonner, Bryson, Burgess, Burton, Caldwell, Cameron, Candler, Carson, Chadwick, Coates, Cox, Craige, Crawford, Dalby, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Ferrell, Flythe, Foster, Furr, Gaines, Garland, Gidney, Hamilton, Harper, Harrison, Henry, Hodnett, Holderby, Hoke, Holmes, Horton, Houston, Hutchison, Jenkins, of Gaston, Jenkins, of Granville, Jones, Judkins, Kinney, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Lyon, Manly, Marler, Matthews, McAden, McDonald, McEachern, McGuire, McIntosh, McKay, McNair, Melson, Moore, of Alamance, Moore, of Chatham, Mott, Murphy, Murrell, Niven, Nicks, Newsum, Page, Palmer, Paschall, Potter, Rosebro', Russell, Sharpe, Shaw, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Stilley, Scoggin, Teague, Thompson, Trull, Waugh,

Webb, Wheeler, Whitley, Williams, Wilson, Yellowly and York.

Those who voted in the negative were:

Messrs. Everett, Faison, Luke and Thigpen.

Ordered to be engrossed and sent to the Senate.

Mr. Horton, from the committee appointed to superintend the election of three Engrossing Clerks, reported that the whole number of votes cast was 161, necessary to a choice 81; that Mr. E. B. Freeman had received 139, M. J. McSween 82, Jno. A. Hampton 77, Chas. M. Busbee 46, Jas. A. Moore 41, Bennett Barnes 59, Erasmus Page 24, and John Boner 14.

Edmund B. Freeman and M. J. McSween, having received majorities of the whole number of votes cast, were declared duly elected.

On motion of Mr. Baxter, the House then adjourned until to-morrow morning, 10 o'clock.

THURSDAY, November 30, 1865.

Prayer by Rev. Mr. Byrd.

Mr. W. N. H. Smith, member elect from the county of Hertford, appeared, produced his credentials, was qualified, and took his seat.

The resolution of Mr. Waugh, directing that a message be sent to the Senate, proposing to raise a Joint Select Committee to prepare Joint Rules of order for the government of the two Houses, was taken up and adopted.

Messrs. Waugh, Jenkins, of Warren, Henry, Baxter and Wilson were designated as the Committee on the part of the House.

Mr. Russell offered the following resolutions, which, on motion of Mr. Henry, were referred to a Select Committee of five, and ordered to be printed, viz:

"Whereas, there are numerous indications that a large por-

tion of the people of the Northern States of this Union have been led to believe that the people of North-Carolina are not well disposed towards them and towards the General Government; and whereas, it appears from a telegram from His Excellency, the President of the United States, to the Provisional Governor of this State, published in the "Standard" newspaper of the 29th inst., that his Excellency has been misinformed as to the views and sentiments of the people of North-Carolina, and especially as regards the issues involved in the late elections in this State; and whereas, it is right and proper that this General Assembly should correct, as far as may be in their power, such erroneous impressions, and vindicate the character of the State.

Therefore, be it resolved, That the people of North-Carolina have accepted the terms offered them by the President of the United States, and complied with all the conditions laid down by him as necessary to restore our practical constitutional relations with the other States of this Union, and that they have done so in good faith, and with the intention and determination to preserve and maintain them.

Resolved, That the people of North-Carolina are *loyal* to the Government of the United States, and are ready to make any concessions, not inconsistent with their honor and safety, for the restoration of that harmony upon which their prosperity and security depend.

Resolved, That we have confidence in the ability, integrity, impartiality and patriotism of Andrew Johnson, President of the United States, and that, on behalf of the people of North-Carolina, we hereby return our thanks to him for the kindness, liberality and magnanimity which he has displayed towards us.

Resolved, That a copy of these Resolutions be transmitted to His Excellency, the President of the United States, and to the Congress, when it shall assemble."

The Speaker designated the following as the Special Com-

mittee, to whom the foregoing resolutions shall be referred, viz: Messrs. Russell, Blackmer, Jenkins, of Warren, Cameron and Henry.

A message was received from the Senate, proposing to go forthwith into an election for one Engrossing Clerk, and announcing Messrs. Latham and Coward as the Committee, on their part, to superintend said election.

The message was concurred in, and Messrs. Lyon and Simmons appointed to superintend the election on the part of the House.

The names of James A. Moore, John Boner and Chas. M. Busbee were withdrawn from nomination; when the House voted as follows:

For Mr. Jno. A. Hampton—Messrs. Speaker, Arrington, Ashworth, Baxter, Black, Blair, Blythe, Burgess, Burton, Caldwell, Cameron, Candler, Carson, Craige, Davis, of Halifax, Dickey, Ferrell, Flythe, Furr, Gaines, Garland, Hamilton, Harper, Henry, Hodnett, Holderby, Hoke, Horton, Houston, Jones, Joyner, Kinney, Lee, of Gates, McAden, Matthews, McDonald, McEachern, McGuire, McIntosh, McNair, McKay, Melson, Moore, of Alamance, Moore, of Chatham, Mott, Murrill, Newsum, Palmer, Paschall, Potter, Rosebro', Russell, Sharpe, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Scoggin, Waugh, Wheeler and York—61.

For Mr. Bennett Barnes—Messrs. Allison, Barnett, Beasley, Blackmer, Bonner, Bryson, Chadwick, Cox, Crawford, Dalby, Davis, of Carteret, Everett, Faircloth, of Wayne, Farrow, Faison, Foster, Gidney, Harrison, Henrahan, Holmes, Hutchison, Hyman, Jenkins, of Gaston, Jenkins, of Granville, Jenkins, of Warren, Judkins, Kenan, Leigh, of Tyrrell, Logan, Lucas, Luke, Lyon, Manly, Marler, Moore, of Martin, Murphy, Niven, Page, Shaw, Stilly, Teague, Thigpen, Trull, Webb, Whitley, Williams, Wilson and Yellowley—48.

Mr. Faircloth, of Greene, voted for Mr. Page.

Mr. Simmons, from the committee appointed to superintend

the election of Engrossing Clerk, reported that the whole number of votes cast was 158, necessary to a choice 80; that Mr. Hampton had received 101 votes, Mr. Barnes 50, Mr. Busbee 4, and Mr. Page 3; and that Mr. Hampton was, accordingly, duly elected.

Received from His Excellency, the Provisional Governor, through the hands of his Private Secretary, W. R. Richardson, Esq., the following communication, which was read, and, on motion of Mr. McKay, ordered to be sent to the Senate, with a proposition to print five copies for each member of the General Assembly:

EXECUTIVE DEPARTMENT, N. C.,
Raleigh, November 30, 1865.

Gentlemen of the Senate and of
the House of Commons.

I regret that a severe and painful illness, from which I am still suffering, has prevented me from preparing for your consideration a more full and detailed statement of the condition of public affairs, and of the progress which has been made in restoring North-Carolina to her natural position as a member of the Union, under the Federal Constitution. I am gratified to state, however, that my health is improving, and I hope soon to be in a condition to impart to you at length any information in my possession in relation to public affairs which you may desire.

The progress thus far made in the work of restoration has been attended by a great labor; and I have been very anxious to discharge my duties as Provisional Governor, under the instructions of the President, in such a way as to promote the best interests of the State, and to ensure a restoration of our Constitutional relations to the Federal Government at the earliest practicable period.

We can entertain no hope that confidence and activity in business will be revived, or that our people can even begin to renew their former prosperity until the State, shall have been fully restored to her place in the Union. The greatest good of the present and of all coming generations will be embodied in the practical fact that we are once more a part of the freest, proudest and most prosperous government in the world. As long as this fact is unrealized, the State must necessarily languish in all its interests, and instead of availing herself of her great natural advantages, and springing forward in competition with other States in the career of wealth and prosperity, she will become more and more impoverished.

Let us, then, omit nothing which may be deemed necessary, or even expedient, to attain the great end we have in view, to wit: the complete restoration of the State to all its Constitutional relations to the common government. Let the divisions and differences which exist among us, and which are calculated to obstruct the work of restoration, disappear under the influence of a more intense and a more devoted patriotism. He who does any thing now, whether by word or act, calculated or intended to embarrass the national administration, or to obstruct the work of restoration, incurs a grave responsibility, and can be no friend either to the Federal Union or to North-Carolina.

The Convention of the people of this State, recently in session, very wisely ordained,

1st, That the so-called ordinance of secession, adopted the 20th day of May, 1861, "is now, and at all times hath been, null and void," and that "the ordinance of the Convention of the State of North-Carolina, ratified on the 21st day of November, 1789, which adopted and ratified the Constitution of the United States, and also all acts and parts of acts of the General Assembly, ratifying and adopting amendments to the said Constitution, are now, and at all times since the adoption and ratification thereof, have been, in full force and effect."

2d. That "slavery and involuntary servitude, otherwise than for crimes, whereof the party shall have been duly convicted, shall be, and is hereby, forever prohibited within the State."

3d. That it shall be the duty of the General Assembly to provide for the payment of all debts and obligations created or incurred by the State, otherwise than in aid of the late rebellion. But that "all debts and obligations created or incurred by the State, in aid of the late rebellion, directly or indirectly, are void, and no General Assembly of this State shall have power to assume or provide for the payment of the same, or any portion thereof."

These are safe and proper steps in the right direction, and such as were expected of the representatives of a loyal people.

But, in order to remove the last obstacle in the way of restoration, it is indispensable that the Legislature shall ratify the amendment to the Constitution of the United States prohibiting the existence of slavery throughout the United States. I herewith transmit to you a communication on this subject, from Hon. William H. Seward, Secretary of State, and also a certified copy of the joint resolution which has passed Congress on the subject, approved February 1st, 1865.

I beg leave, gentlemen, most respectfully and earnestly to urge on you the propriety of ratifying this amendment unanimously, at the earliest practicable moment. It is the wish of our best friend, the President of the United States, that this shall be done. Such ratification cannot fail to hasten our restoration to the Union, and thus lay anew for us and our children the foundations of permanent prosperity and glory.

Under the provisions of an Ordinance passed by the Convention at its late session, I have appointed the Hon. B. F. Moore, the Hon. Richard S. Donnell, and William S. Mason, Esquire, Commissioners to prepare and report to the Legis'ature a system of laws upon the subject of freedmen, and to designate such laws and parts of laws, now in force, as should

be repealed, in order to conform the statutes of the State to the ordinance of the Convention abolishing the institution of slavery.

In conclusion, permit me to assure you, gentlemen, of my readiness and anxiety to co-operate with you cordially and zealously in every thing which may be calculated to relieve our unfortunate and beloved State from her present depressed and unhappy condition.

With sentiments of high respect, I have the honor to be, &c.,

W. W. HOLDEN,
Provisional Governor.

[DUPLICATE.]

UNITED STATES OF AMERICA.

DEPARTMENT OF STATE.

To all whom these Presents shall come Greeting:

I certify that the annexed is a true copy of a Joint Resolution of Congress, entitled "A Resolution submitting to the Legislatures of the several States a proposition to amend the Constitution of the United States," approved February 1st, 1865; the original of which is on file in this Department.

In testimony whereof, I, William H. Seward, Secretary of State of the United States, have hereunto subscribed my name and caused the seal of the Depart-
S. S. ment of State to be affixed. Done at the City of Washington, this second day of February, A. D., 1865, and of the Independence of the United States of America, the eighty-ninth.

WILLIAM H. SEWARD.

A RESOLUTION SUBMITTING TO THE LEGISLATURES OF THE SEVERAL STATES A PROPOSITION TO AMEND THE CONSTITUTION OF THE UNITED STATES.

Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, (two-thirds of both Houses concurring,) That the following article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said legislatures, shall be valid, to all intents and purposes, as a part of the said Constitution, namely:

ARTICLE XIII.

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

SEC. 2. Congress shall have power to enforce this article by appropriate legislation.

Approved, February 1, 1865.

Mr. Waugh moved that a message be sent to the Senate, proposing to go into an election for United States Senator, to fill the unexpired term of the Hon. Thos. L. Clingman, to-morrow at 12 o'clock.

Mr. Jenkins, of Granville, moved to amend the message so as to propose an election for *two* United States Senators; which amendment did not prevail.

Mr. Waugh's motion was then adopted, and the message sent accordingly.

Received a message from the Senate, concurring in the proposition to print five copies of the communication of the Provisional Governor for each member of the General Assembly.

Also, a message proposing to go forthwith into an election for three Judges of the Supreme Court.

Mr. Jenkins, of Warren, moved to lay this message upon the table, and thereupon demanded the yeas and nays; yeas 38, nays 56.

Those who voted in the affirmative, were:

Messrs. Allison, Ashworth, Baxter, Black, Burgess, Chadwick, Cox, Dalby, Everett, Foster, Gidney, Harper, Harrison, Henrahan, Hodnett, Holderby, Holmes, Horton, Hutchison, Jenkins, of Warren, Kenan, Logan, Lyon, Marler, Matthews, McIntosh, Moore, of Martin, Murphy, Niven, Nicks, Palmer, Shaw, Smith, of Cumberland, Teague, Thigpen, Wheeler, Whitley and Williams.

Those who voted in the negative, were:

Messrs. Arrington, Barnett, Beasley, Blair, Blythe, Bonner, Bryson, Burton, Caldwell, Candler, Coates, Craige, Crawford, Davis, of Carteret, Davis, of Halifax, Dickey, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Flythe, Garland, Hamilton, Henry, Houston, Jenkins, of Granville, Jones, Joyner, Kinney, Lee, of Gates, Leigh, of Tyrrell, Lucas, McAden, McDonald, McEachern, McGuire, Melson, Moore, of Alamance, Moore, of Chatham, Mott, Murrill, Newsum, Page, Potter, Rosebro', Russell, Simmons, Smith, of Columbus, Smith, of Guilford, Stilley, Scoggin, Thompson, Trull, Waugh, Webb, Wilson and York.

So the motion was rejected.

The message was then concurred in, the Senate informed thereof, and Messrs. Blackmer and Jenkins, of Warren, appointed to superintend the election on the part of the House.

Mr. Hutchison nominated the Hons. R. M. Pearson, Will. H. Battle and M. E. Manly; Mr. Henry, Hon. E. G. Reade; Mr. Russell, B. F. Moore, Esq.; Mr. Blackmer, Hons. Nat. Boyden and R. R. Heath; and Mr. Caldwell, of Guilford, Hon. W. N. H. Smith.

The House then proceeded to vote as follows:

For Mr. Pearson—Mr. Speaker, Allison, Arrington, Ash-

worth, Barnett, Blackmer, Blair, Blythe, Bonner, Bryson, Burton, Caldwell, Cameron, Candler, Carson, Chadwick, Coates, Cox, Crawford, Dalby, Davis, of Carteret, Dunn, Everett, Faircloth, of Green, Faircloth, of Wayne, Faison, Ferrell, Flythe, Furr, Gaines, Garland, Gidney, Hamilton, Harper, Harrison, Henry, Hodnett, Holderby, Hoke, Holmes, Horton, Houston, Hutchison, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Leigh, of Tyrrell, Logan, Lucas, Lyon, Manly, Marler, Matthews, McDonald, McEachern, McGuire, McIntosh, McKay, McNair, Melson, Moore, of Martin, Mott, Murphy, Murrill, Niven, Nicks, Newsum, Palmer, Pasehall, Potter, Rosebro', Russell, Sharpe, Shaw, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Stilley, Scoggin, Teague, Thompson, Trull, Waugh, Webb, Wheeler, Whitley, Williams, Yellowley and York—91.

For Mr. Battle—Mr. Speaker, Arrington, Ashworth, Beasley, Blythe, Bryson, Burton, Cameron, Chadwick, Craige, Crawford, Dalby, Davis, of Carteret, Davis, of Halifax, Dickey, Everett, Faircloth, of Greene, Farrow, Faison, Ferrell, Foster, Gidney, Harper, Harrison, Henry, Hodnett, Holderby, Hoke, Hutchison, Jenkins, of Granville, Jenkins, of Warren, Jones, Joyner, Lee, of Gates, Leigh, of Tyrrell, Logan, Manly, Marler, Matthews, McAden, McDonald, McEachern, McIntosh, McNair, Moore, of Alamance, Moore, of Chatham, Moore, of Martin, Murphy, Murrill, Niven, Page, Rosebro', Sharpe, Shaw, Simmons, Smith, of Cumberland, Stilley, Scoggin, Thigpen, Thompson, Trull, Williams, Wilson and Yellowley—64.

For Mr. Reade—Mr. Speaker, Allison, Ashworth, Barnett, Beasley, Blair, Blythe, Burton, Caldwell, Candler, Carson, Coates, Craige, Crawford, Dalby, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Flythe, Furr, Gaines, Garland, Hamilton, Harper, Harrison, Henrahan, Henry, Hodnett, Holderby, Holmes, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Lucas, Lyon, Matthews, McAden, McDonald, McEachern, McGuire, McIn-

tosh, McKay, Moore, of Alamance, Moore, of Chatham, Nicks, Newsum, Page, Palmer, Paschall, Potter, Russell, Smith, of Columbus, Smith, of Guilford, Scoggin, Teague, Thompson, Waugh, Webb, Wheeler, Whitley, Wilson and York—67.

For Mr. Manly—Messrs. Arrington, Baxter, Bonner, Bryson, Burgess, Cameron, Chadwick, Davis, of Halifax, Everett, Farrow, Faison, Foster, Gidney, Henrahan, Hoke, Hutchison, Hyman, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Logan, Lucas, Luke, Marler, McAden, McKay, McNair, Moore, of Alamance, Moore, of Martin, Mott, Murphy, Murrill, Niven, Sharpe, Shaw, Simmons, Smith, of Columbus, Smith, of Cumberland, Stilley, Thigpen, Trull, Webb, Whitley, Williams and Yellowley—47.

For Mr. Smith—Messrs. Allison, Baxter, Burgess, Caldwell, Cox, Farrow, Flythe, Foster, Furr, Gaines, Henrahan, Holmes, Houston, Hyman, Kenan, Lee, of Gates, Leigh, of Tyrrell, Luke, Melson, Nicks, Newsum, Paschall, Potter, Smith, of Guilford and Wilson—25.

For Mr. Moore—Messrs. Barnett, Beasley, Candler, Coates, Craige, Davis, of Halifax, Dickey, Dunn, Faircloth, of Wayne, Ferrell, Garland, Horton, Joyner, Judkins, Lyon, Melson, Page, Palmer and Russell—19.

For Mr. Boyden—Messrs. Blackmer, Blair, Carson, Hamilton, Jenkins, of Gaston, Kinney, McGuire, Mott, Roscbro', Teague, Waugh, Wheeler and York—13.

For Mr. Heath—Messrs. Baxter, Blackmer, Bonner, Burgess, Cox, Hyman, Jenkins, of Warren, Kenan, Luke, Manly and Thigpen—11.

Mr. Jenkins voted for Wm. Eaton, Jr.

Received a message from the Senate, refusing to concur in the proposition of the House of Commons to go into an election for United States Senator to-morrow.

Also, a message concurring in the proposition to raise a Joint Select Committee on Rules, and naming Messrs. Win-

stead, Morehead and Arendell as the committee on the part of the Senate.

Also, a message, proposing to raise a Joint Select Committee of three on the part of the Senate, and five on the part of the House, to examine into the present condition and future prospects of all Railroads in North-Carolina, and report as early as practicable; and naming Messrs. Whitford, Leach, of Davidson, and Hall as the Senate branch of said Committee.

Mr. Jenkins, from the committee appointed to superintend the election of three Judges of the Supreme Court, reported that the whole number of votes cast was 159, necessary to a choice 80; that Hon. R. M. Pearson had received 132, Hon. W. H. Battle 97, Hon. E. G. Reade 89, Hon. M. E. Manly 68, B. F. Moore 34, Hon. W. N. H. Smith 32, Hon. Nath'l Boyden 15, and Hon. R. R. Heath 11; and that Hons. R. M. Pearson, Will. H. Battle and Edwin G. Reade, having each received a majority, are duly elected.

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

FRIDAY, DECEMBER, 1, 1865.

Prayer by Rev. Mr. Hardie.

Mr. Robert H. Cowan, member elect from the County of New Hanover, appeared, produced his credentials, was qualified and took his seat.

On motion of Mr. Caldwell, of Guilford, it was

Ordered, That His Excellency, the Governor of North-Carolina, be requested to procure a suitable flag of the United States, and that the same be unfurled from the Capitol during the sittings of this Assembly.

Mr. Kenan moved that a message be sent to the Senate, proposing to go immediately into an election for Secretary of State; which motion did not prevail.

The following resolution was offered by Mr. Caldwell, of Guilford:

Resolved, That the members of this House be requested to meet at 3 o'clock this P. M., for general conference and interchange of views in regard to nominations; and that the Senate be informed of such informal meeting and be requested to attend.

Which resolution, on motion of Mr. Waugh, was laid upon the table.

Mr. Waugh, from the committee appointed to prepare Joint Rules for the government of the two Houses, during the present session, reported the following, which, on his motion, were sent to the Senate with a proposition to print:

JOINT RULES OF ORDER.

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

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

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

4. When a message shall be sent from one House to the other, it shall be announced at the door of the House to which

it is sent by the door-keeper, and shall be respectfully delivered to the Chair, by the person by whom it may be sent.

5. After a bill shall have passed the House in which it originated, it shall be under the signature of the clerk, and engrossed under his direction and inspection, before it shall be communicated to the other House.

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

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

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

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

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

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

12. The Committee on Finance shall be joint, consisting of eight members from each House; the Committee on Public Buildings and Grounds shall be a joint committee of two from the Senate and three from the House of Commons; the Library Committee shall be a joint standing committee consisting of three members from each House, appointed by the Speak-

ers thereof respectively; the Committees on the Deaf and Dumb and Blind Asylum, the Insane Asylum, Military Affairs, Swamp Lands, and on Cherokee Lands and Western Turnpikes, shall be joint standing committees, consisting each of three members from the Senate and five from the House of Commons.

13. In all Joint Committees, the member first named on the committee, on the part of the House proposing to raise such committee, shall convene the same, and, when convened, they shall choose their own Chairman.

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

15. Whenever either House shall order any paper or document to be printed, it shall be printed in octavo form, on good paper, and with fair type; and those documents ordered to be printed by the Senate, shall be printed as "Senate Documents," and those ordered to be printed by the House of Commons, shall be printed as "House Documents," and numbered in regular order, except when communications are made to either House by the Governor, Treasurer, Comptroller or Secretary of the State, and ordered to be printed, they shall be designated "Executive Documents," and said papers and documents shall be distributed in the following manner: One copy thereof to each member of the General Assembly, one copy to the Clerks of each House for the use thereof, and two copies shall be deposited in the Public Library, and the Public Librarian required to have them neatly bound.

16. All elections requiring a joint vote shall be *viva voce*, and a Select Committee of two membes in each House shall be appointed to superintend the same in their respective Houses. After the vote shall have been taken, said select committee shall confer together, and report the result of such election to their respective Houses.

17. The foregoing Rules shall be permanent Joint Rules

of the Legislature of North-Carolina, until altered or amended.

Mr. Russell, from the committee to whom were referred the "Resolutions declaring the loyalty of the people of North-Carolina," reported the same back to the House, with a slight verbal alteration, recommending their passage; which report was concurred in, and the resolutions adopted.

Mr. Craige offered a resolution relative to a change in the basis of representation in the State Legislature, which, on motion of Mr. Dalby, was laid on the table, by yeas 71, nays 32.

Mr. Gidney demanded the yeas and nays.

Those who voted in the affirmative were:

Messrs. Allison, Ashworth, Baxter, Black, Blackmer, Bonner, Burgess, Burton, Cameron, Chadwick, Coates, Cox, Dalby, Davis, of Halifax, Everett, Faircloth, of Greene, Faircloth of Wayne, Farrow, Faison, Ferrell, Flythe, Foster, Furr, Gaines, Harper, Harrison, Henrahan, Henry, Hodnett, Holderby, Holmes, Hutchison, Hyman, Jenkins, of Gaston, Jenkins, of Granville, Jenkins, of Warren, Joyner, Kenan, Lee, of Gates, Leigh of Tyrrell, Lucas, Luke, Lyon, Manly, Marler, Matthews, McEachern, McGuire, McKay, McNair, Melson, Moore, of Alamance, Moore, of Martin, Murphy, Murrill, Niven, Newsum, Russell, Shaw, Simmons, Smith, of Columbus, Smith of Cumberland, Smith, of Hertford, Stilley, Thigpen, Thompson, Trull, Webb, Whitley, Williams and Yellowley.

Those who voted in the negative were:

Messrs. Barnett, Beasley, Blair, Blythe, Bryson, Caldwell, Candler, Craige, Crawford, Davis, of Carteret, Dickey, Gidney, Hamilton, Horton, Houston, Jones, Kinney, Logan, McIntosh, Moore, of Chatham, Mott, Nicks, Palmer, Potter, Rosebro', Sharpe, Smith, of Guilford, Scoggin, Teague, Waugh, Wilson and York.

Mr. Henry introduced "A bill to amend an act passed at the session of the General Assembly of 1860-'61, entitled an

act to appoint tax collectors for Bertie and other counties." Passed first reading.

Mr. Waugh moved a re-consideration of the vote by which the resolutions of Mr. Russell, declaring the loyalty of the people of North-Carolina, were adopted. Carried.

Mr. Wilson moved to amend, by striking out in the 8th line, (printed copy,) the words "been misinformed as to," and inserting the word "misconstrued;" which was disagreed to.

The question then recurring on the passage of the resolutions, they were adopted ; yeas 112, nays 0.

Yeas and nays demanded by Mr. Russell.

Those who voted in the affirmative were:

Messrs. Allison, Arrington, Ashworth, Barnett, Baxter, Beasley, Black, Blackmer, Blair, Blythe, Bonner, Bryson, Burgess, Burton, Caldwell, Cameron, Candler, Carson, Chadwick, Coates, Cowan, Cox, Craige, Crawford, Dalby, Davis, of Carteret, Davis, of Halifax, Dickey, Dunn, Everett, Faircloth, of Greene, Faircloth, of Wayne, Farrow, Faison, Ferrell, Flythe, Foster, Furr, Gaines, Gidney, Hamilton, Harper, Harrison, Henrahan, Henry, Hodnett, Holderby, Hoke, Holmes, Horton, Houston, Hutchison, Hyman, Jenkins, of Gaston, Jenkins of Granville, Jenkins, of Warren, Jones, Joyner, Judkins, Kenan, Kinney, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Lyon, Manly, Marler, Matthews, McAden, McEachern, McGuire, McIntosh, McKay, McNair, Melson, Moore, of Alamance, Moore, of Chatham, Moore of Martin, Mott, Murphy, Murrill, Niven, Nicks, Newsum, Page, Palmer, Paschall, Potter, Rosebro', Russell, Sharpe, Shaw, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Smith, of Hertford, Stilley, Scoggin, Teague, Thigpen, Trull, Waugh, Webb, Wheeler, Whitley, Williams, Wilson, Yellowley and York.

None voting in the negative.

Mr. McAden moved that a message be sent to the Senate, proposing to go forthwith into an election for United States Senator for the long term, commencing on the 5th March last,

and stating that the Hon. William A. Graham is in nomination therefor.

Mr. Waugh moved to lay this motion upon the table; which was not agreed to.

Mr. McAden's motion was then adopted, and the message sent accordingly.

The Speaker announced, as the House branch of the Joint Select Committee on Railroads, Messrs. Rayner, Hoke, Joyner, Jenkins, of Warren, and McAden.

Received a message from the Senate, refusing to concur in the proposition to go into an election for United States Senator for the long term.

A message was sent to the Senate, on motion of Mr. Henry, proposing to go at once into an election for Judge of the 1st Judicial Circuit, and stating that Hon. David A. Barnes was in nomination.

A message was received from the Senate, proposing to go into an election for two United States Senators, on Monday next, at 12 o'clock. Concurred in.

Received a message from the Senate, agreeing to the proposition to go into an election for Judge of the 1st Judicial Circuit.

Messrs. Russell and Henry were appointed the committee to superintend the election; when the House voted as follows:

For Mr. Barnes—Messrs. Speaker, Allison, Arrington, Ashworth, Barnett, Baxter, Beasley, Black, Blackmer, Blair, Blythe, Bonner, Bryson, Burgess, Burton, Caldwell, Cameron, Candler, Carson, Chadwick, Coates, Cowan, Cox, Craige, Crawford, Dalby, Davis, of Carteret, Davis, of Halifax, Dickey, Dunn, Everett, Faircloth, of Greene, Faircloth, of Wayne, Farrow, Faison, Ferrell, Flythe, Foster, Furr, Gaines, Garland, Gidney, Hamilton, Harper, Harrison, Henry, Hodnett, Holderby, Hoke, Holmes, Horton, Houston, Hutchison, Hyman, Jenkins, of Gaston, Jenkins, of Granville, Jenkins, of Warren,

Jones, Joyner, Judkins, Kenan, Kinney, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Lyon, Manly, Marler, Matthews, McAden, McEachern, McGuire, McIntosh, McNair, Melson, Moore, of Chatham, Moore, of Martin, Mott, Murphy, Murrill, Niven, Nicks, Newsum, Page, Palmer, Paschall, Potter, Rayner, Rosebro', Russell, Sharpe, Shaw, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Stilley, Scoggin, Teague, Thigpen, Thompson, Trull, Waugh, Webb, Wheeler, Whitley, Williams, Wilson, Yellowley and York—112.

Mr. Smith, of Hertford, voted for Mr. Eure.

Received a message from the Senate, concurring in the proposition to print the Constitution and Rules of Order.

Also, a message proposing to go forthwith into an election for Secretary of State, and stating that R. W. Best, Sam'l. T. Williams and Wm. R. Hill are in nomination.

The message was concurred in, Messrs. Faircloth, of Greene, and Arrington appointed a committee to superintend the election, and the House voted as follows,—the name of Mr. Jas. H. Foote having previously been put in nomination.

For Mr. Best—Mr. Speaker, Allison, Ashworth, Beasley, Black, Blackmer, Blair, Blythe, Bonner, Bryson, Burton, Candler, Coates, Craige, Crawford, Davis, of Carteret, Dickey, Dunn, Everett, Faircloth, of Greene, Faircloth, of Wayne, Ferrell, Furr, Garland, Hamilton, Henry, Holderby, Holmes, Houston, Jenkins, of Gaston, Kinney, Moore, of Chatham, Murphy, Murrill, Nicks, Page, Paschall, Potter, Russell, Simmons, Smith, of Columbus, Stilley, Scoggin, Thompson, Trull, Whitley, Wilson and Yellowley—48.

For Mr. Williams—Messrs. Arrington, Baxter, Burgess, Caldwell, Cameron, Chadwick, Cox, Davis, of Halifax, Farrow, Faison, Flythe, Foster, Gaines, Gidney, Henrahan, Hoke, Hutchison, Hyman, Jenkins, of Granville, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Luke, Lyon, Manly, Marler, McNair, Melson, Moore, of Alamance,

Moore, of Martin, Mott, Niven, Newsum, Thigpen and Webb—38.

For Mr. Foote—Messrs. Barnett, Carson, Dalby, Harper, Jones, Logan, Lucas, Matthews, McAden, McGuire, McIntosh, Palmer, Rosebro', Sharpe, Smith, of Guilford, Teague, Waugh and Wheeler—18.

For Mr. Hill—Messrs. Harrison, Hodnett, McEachern, Shaw, Smith, of Cumberland and Williams—6.

Mr. Henry, from the committee appointed to superintend the election of Judge for the 1st Circuit, reported that the whole number of votes cast was 158, necessary to a choice 80; of which D. A. Barnes received 155, R. R. Heath, 1, W. N. H. Smith 1, and M. L. Eure 1; and that Hon. David A. Barnes was therefore duly elected. Which report was concurred in.

Mr. Arrington, from the committee appointed to superintend the election of Secretary of State, reported: whole number of votes 157, necessary to a choice 79. Mr. Best received 63, Mr. Williams 57, Mr. Foote 28, and Mr. Hill 9. No election.

Received a message from the Senate, proposing to vote forthwith for Solicitor of the 1st Judicial Circuit, and stating that Messrs. Mills H. Eure and Jesse J. Yeates are in nomination; which was concurred in.

Messrs. Moore, of Martin, and Cox were designated as the committee to superintend the election, when the House voted as follows:

For Mr. Eure—Mr. Speaker, Arrington, Baxter, Beasley, Black, Bonner, Bryson, Burgess, Cameron, Chadwick, Cowan, Cox, Crawford, Dalby, Davis, of Halifax, Everett, Faircloth, of Wayne, Ferrell, Foster, Furr, Gaines, Garland, Gidney, Harper, Harrison, Hodnett, Hoke, Hutchison, Hyman, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Manly, McAden, McEachern, McIntosh, McNair, Melson, Moore, of Alamance, Moore, of Martin, Niven, Palmer, Paschall, Rosebro', Sharpe, Shaw, Sim-

mons, Teague, Thigpen, Trull, Webb, Wheeler and Wilson—59.

For Mr. Yeates—Messrs. Allison, Ashworth, Blackmer, Blair, Blythe, Burton, Caldwell, Candler, Carson, Coates, Craige, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Flythe, Hamilton, Henry, Holderby, Holmes, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Lyon, Marler, Matthews, McGuire, Moore, of Chatham, Murphy, Murrill, Nicks, Newsum, Page, Potter, Rayner, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Stilley, Scoggin, Thompson, Waugh, Whitley, Williams and York—48.

The Speaker announced the following standing committees:

On Finance: Messrs. Smith, of Hertford, Rayner, Cowan, Murphy, Thompson, Holderby, Holmes, and Harper.

On Claims: Messrs. Wheeler, Luke, Niven, Thigpen, Carson, Lyon, Black, McGuire, Henrahan and Ferrell.

On Judiciary: Messrs. Manly, Blackmer, McAden, Dargan, Sharpe, Jenkins, of Warren, McKay, Yellowley, Moore, of Martin, and Candler.

On Education: Messrs. Jenkins, of Granville, Sharpe, Cameron, Caldwell, Wilson, Hyman, Jones, Cox, Whitley and Smith, of Cumberland.

On motion of Mr. Russell, a message was sent to the Senate, proposing to vote at once for Judge of the 5th Judicial Circuit; in which proposition the Senate subsequently refused to concur.

Mr. Moore, of Martin, from the committee appointed to superintend the election of Solicitor for the 1st Circuit, reported that the whole number of votes cast was 153, necessary to a choice 77; that Mr. Eure had received 82, and Mr. Yeates 71, and that Mills H. Eure was duly elected; which report was concurred in.

Mr. Manly presented a petition from Will. A. Blount, Administrator, and W. A. Blount, Jr., which, on his motion, was referred to the Committee on the Judiciary.

Received a message from the Senate proposing to go forthwith into an election for Judge of the 2nd Judicial Circuit, and stating that Hons. Geo. Howard and E. J. Warren are in nomination.

Mr. Blackmer moved to adjourn until to-morrow morning, 10 o'clock. Lost.

The message of the Senate was concurred in, Messrs. Hyman and Stilley appointed to superintend the election, and the House voted as follows:

For Mr. Warren—Messrs. Allison, Ashworth, Beasley, Black, Blackmer, Blair, Blythe, Burton, Caldwell, Candler, Carson, Coates, Craige, Crawford, Dalby, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Farrow, Ferrell, Flythe, Gaines, Garland, Hamilton, Harper, Harrison, Henry, Hodnett, Holderby, Holmes, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Lyon, Matthews, McGuire, McIntosh, McKay, Melson, Moore, of Chatham, Murrill, Nicks, Newsum, Page, Palmer, Potter, Rosebro', Russell, Sharpe, Simmons, Smith, of Columbus, Smith, of Guilford, Stilley, Scoggin, Teague, Thompson, Waugh, Webb, Wheeler, Wilson and York—66.

For Mr. Howard—Mr. Speaker, Arrington, Barnett, Baxter, Bonner, Bryson, Burgess, Cameron, Chadwick, Cowan, Cox, Davis, of Halifax, Everett, Faison, Furr, Gidney, Hoke, Hutchison, Hyman, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Lake, Manly, McAden, McNair, Moore, of Alamance, Moore, of Martin, Mott, Murphy, Niven, Paschall, Rayner, Shaw, Smith, of Cumberland, Smith, of Hertford, Thigpen, Truell, Whitley and Williams—45.

On motion of Mr. Moore, of Alamance, a message was sent to the Senate, proposing to ballot again, forthwith, for Secretary of State.

Mr. Hyman, from the committee appointed to superintend the election of Judge for the 2nd Judicial District, reported:

whole number of votes 157, necessary to a choice 79. Mr. Warren received 89 and Mr. Howard 68. Hon. E. J. Warren was, accordingly, declared duly elected.

Received a message from the Senate proposing to vote at once for Solicitor of the 2nd Judicial Circuit, and stating that Messrs. W. T. Faircloth, Jas. G. Scott and Jno. M. Perry are in nomination. The House concurred, Messrs. Kenan, and Davis, of Carteret, were appointed to superintend the ballot, and the House voted as follows, the name of Wm. A. Allen having been previously added to the list of nominations:

For Mr. Faircloth—Mr. Speaker, Allison, Ashworth, Barnett, Beasley, Black, Blackmer, Blair, Blythe, Burton, Cameron, Candler, Carson, Chadwick, Coates, Craige, Dalby, Dickey, Dunn, Faircloth, of Greene, Ferrell, Flythe, Furr, Gaines, Garland, Hamilton, Harper, Harrison, Hanrahan, Henry, Hodnett, Holderby, Holmes, Horton, Hutchison, Jenkins, of Gaston, Jenkins, of Granville, Jones, Joyner, Judkins, Kinney, Lee, of Gates, Lyon, Matthews, McAden, McGuire, McIntosh, McKay, Melson, Moore, of Alamance, Moore, of Chatham, Nicks, Newsum, Page, Palmer, Paschall, Potter, Rosebro', Smith, of Columbus, Smith, of Hertford, Stilley, Scoggin, Thompson, Trull, Waugh, Webb, Whitley, Williams, Yellowley and York—70.

For Mr. Allen—Messrs. Arrington, Baxter, Cowan, Cox, Davis, of Halifax, Farrow, Faison, Gidney, Jenkins, of Warren, Kenan, Leigh, of Tyrrell, Logan, Lucas, Luke, Manly, Marler, Murphy, Niven, Simmons, Smith, of Cumberland, and Wilson—21.

For Mr. Scott—Messrs, Bonner, Bryson, Caldwell, Houston, Murrill, Russell, Sharpe, Smith, of Guilford, Teague and Wheeler—10.

For Mr. Perry—Messrs. Crawford, Davis, of Carteret, Hyman and Thigpen—4.

Received a message from the Senate, concurring in the proposition to vote again for Secretary of State. The names

of Messrs. Foote and Hill having been withdrawn from nomination, the House voted as follows, under the superintendence of Messrs. Faircloth, of Greene, and Arrington:

For Mr. Best—Mr. Speaker, Allison, Ashworth, Beasley, Black, Blackmer, Blair, Blythe, Burton, Candler, Carson, Chadwick, Coates, Craige, Crawford, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Ferrell, Flythe, Furr, Garland, Hamilton, Harper, Henry, Holderby, Holmes, Houston, Jenkins, Gaston, Jones, Kinney, Lucas, Matthews, McEachern, McGuire, McIntosh, Melson, Moore of Chatham, Murphy, Murrill, Nicks, Page, Palmer, Paschall, Potter, Rosebro', Russell, Simmons, Smith, of Columbus, Smith, of Guilford, Stilley, Scoggin, Teague, Thompson, Trull, Waugh, Whitley, Wilson and Yellowley—61.

For Mr. Williams—Messrs. Arrington, Barnett, Baxter, Bonner, Caldwell, Cameron, Cowan, Cox, Dalby, Davis, of Halifax, Farrow, Faison, Foster, Gaines, Gidney, Hodnett, Hoke, Horton, Hutchison, Hyman, Jenkins, of Granville, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Logan, Luke, Lyon, Manly, Marler, McAden, McNair, Moore, of Alamance, Moore, of Martin, Niven, Newsum, Sharpe, Shaw, Smith, of Cumberland, Smith, of Hertford, Thigpen, Webb, Wheeler, Williams and York—47.

Mr. Kenan, from the committee, reported that the whole number of votes cast for Solicitor of the 2nd Judicial Circuit was 147,—necessary to a choice 74; that W. T. Faircloth had received 88; W. A. Allen 30; Jas. G. Scott 21, and Jno. M. Perry 8; and that W. T. Faircloth, having received a majority, was duly elected. Report concurred in.

Mr. Arrington, from the committee, reported that the whole number of votes cast for Secretary of State, was 154,—necessary to a choice 78; that Mr. Best had received 78, and Mr. Williams 76; and that R. W. Best was, therefore, duly elected Secretary of State. Which report was concurred in.

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

SATURDAY, December 2, 1865.

Prayer by Rev. Mr. Hardie.

The bill, entitled "A bill to amend an act passed at the session of the General Assembly of 1860-'61, entitled an act to appoint tax collectors for Bertie and other counties," was taken up, read the second time and passed, and, under a suspension of the rules, read the third time, passed, and ordered to be engrossed and sent to the Senate.

The following bills were introduced:

By Mr. Marler: A bill concerning the burning of Register's books in the county of Burke. Read and referred to Committee on Judiciary.

By Mr. Webb: A bill to incorporate the Durham Academy in the county of Orange. Read and referred to the Committee on the Judiciary.

Mr. Smith, of Hertford, offered the following Joint Resolution, which was adopted, and a message sent to the Senate asking its concurrence therein:

Resolved, by the House of Commons, (the Senate concurring,) That in the execution of the joint order of the two Houses to go into the election of Senators of the United States, at 12 o'clock, M., on Monday next, the election shall first be to fill the Senatorial term beginning on the 4th day of March, 1865, and, immediately thereafter, to fill the unexpired term beginning on the 4th day of March, 1861.

Mr. Sharpe introduced a resolution "To provide for the qualifications of the Superior Court Clerks of the State;" which was read and referred to the Judiciary Committee.

On motion of Mr. Caldwell, of Guilford, a message was sent to the Senate, proposing to go at once into an election

for Judge of the 3d Judicial District, and stating that Hon. D. G. Fowle and Wm. Eaton, Jr., were in nomination; in which proposition the Senate did not concur.

Mr. Harper offered a resolution calling upon the Governor for certain information, in reply to an Ordinance of the State Convention, with regard to government horses and mules. Adopted.

On motion of Mr. Jenkins, of Granville, a message was sent to the Senate, proposing to vote at once for a Judge for the 4th Judicial District, and stating that Hon. R. B. Gilliam is in nomination.

The Senate concurring, Messrs. Jenkins, of Granville, and Moore, of Alamance, were appointed a committee to superintend the ballot, and the House voted as follows:

For Mr. Gilliam—Messrs. Speaker, Allison, Ashworth, Barnett, Baxter, Beasley, Black, Blackmer, Blair, Blythe, Bonner, Bryson, Burgess, Burton, Caldwell, Cameron, Candler, Carson, Chadwick, Coates, Cox, Craige, Crawford, Dalby, Davis, of Carteret, Davis, of Halifax, Dickey, Dunn, Everett, Faircloth, of Greene, Faircloth, of Wayne, Farrow, Ferrell, Flythe, Foster, Furr, Gaines, Garland, Gidney, Harper, Harrison, Hanrahan, Henry, Hodnett, Holderby, Hoke, Holmes, Horton, Houston, Hutchison, Hyman, Jenkins, of Gaston, Jenkins, of Granville, Jenkins, of Warren, Jones, Joyner, Judkins, Kenan, Kinney, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Lyon, Marler, Matthews, McAden, McDonald, McEachern, McGuire, McIntosh, McKay, McNair, Moore, of Alamance, Moore, of Chatham, Moore, of Martin, Mott, Murphy, Murrill, Niven, Nicks, Newsum, Page, Palmer, Paschall, Potter, Rosebro', Russell, Sharpe, Shaw, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Stilley, Scoggin, Teague, Thigpen, Thompson, Trull, Waugh, Webb, Wheeler, Whitley, Williams, Wilson, Yellowley and York—109.

Mr. Jenkins, of Granville, from the committee, reported that there were 155 votes cast for Judge in the 4th Circuit,—ne-

cessary to a choice 78; that Hon. R. B. Gilliam had received the whole number, 155, and that he was therefore duly elected. Which report was concurred in.

Received a message from the Senate, concurring in the proposition of the House prescribing the order of election of U. S. Senators on Monday next.

Also, a message proposing to vote at once for Solicitor for the 4th Judicial Circuit, and informing the House that Hon. Thos. Settle is in nomination. Which proposition was concurred in, Messrs. Dalby and Burton appointed to superintend the election, and the House voted as follows:

For Mr. Settle—Messrs. Speaker, Allison, Arrington, Ashworth, Barnett, Baxter, Beasley, Black, Blair, Blythe, Bonner, Bryson, Burgess, Burton, Cameron, Candler, Carson, Chadwick, Coates, Cox, Craige, Crawford, Dalby, Davis, of Carteret, Davis, of Halifax, Dickey, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Farrow, Ferrell, Flythe, Foster, Furr, Gaines, Garland, Gidney, Hamilton, Harper, Harrison, Henry, Hodnett, Holderby, Hoke, Horton, Houston, Hutchison, Jenkins, of Gaston, Jenkins, of Granville, Jenkins, of Warren, Jones, Joyner, Judkins, Lee, of Gates, Logan, Lucas, Lyon, Marler, Matthews, McAden, McDonald, McEachern, McGuire, McIntosh, McKay, McNair, Melson, Moore, of Alamance, Moore, of Chatham, Mott, Murphy, Murrill, Niven, Nicks, Newsum, Page, Palmer, Paschall, Potter, Rosebro, Russell, Sharpe, Shaw, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Smith, of Hertford, Stilley, Scoggin, Thigpen, Thompson, Trull, Waugh, Webb, Whitley, Williams, Wilson and York—98.

Mr. Caldwell, of Guilford, voted for Mr. Wilson.

On motion of Mr. Russell, a message was forwarded to the Senate, proposing to go into an election forthwith for a Judge of the 5th Judicial Circuit, and stating that Hon. R. P. Buxton, Hon. R. S. French, W. A. Wright and H. L. Holmes are in nomination.

Mr. Dalby, from the committee appointed to superintend the election of a Solicitor for the 4th Judicial Circuit, reported that the whole number of votes cast was 141,—necessary to a choice 72; that Hon. Thos. Settle had received 140 votes and Mr. Wilson 1, and that Mr. Settle was, therefore, duly elected; which report was concurred in.

Mr. Baxter introduced a bill in favor of Jesse B. Lee, late sheriff of Currituck County. Referred to Committee on Private Bills.

Received a message from the Senate, concurring in the proposition to ballot immediately for Judge of the 5th Judicial Circuit, and the House voted as follows, under the superintendence of Messrs. Russell and Everett:

For Mr. Buxton—Messrs. Speaker, Allison, Ashworth, Barnett, Beasley, Black, Blackmer, Blair, Blythe, Bonner, Bryson, Burton, Candler, Carson, Coates, Craige, Crawford, Dalby, Davis, of Carteret, Davis, of Halifax, Dickey, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Ferrell, Flythe, Furr, Gaines, Garland, Hamilton, Harper, Harrison, Hanrahan, Henry, Hodnett, Horton, Holmes, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Joyner, Kinney, Lyon, Marler, Matthews, McDonald, McGuire, McIntosh, McKay, Melson, Moore, of Chatham, Mott, Murrill, Nicks, Newsum, Page, Palmer, Paschall, Potter, Rosebro', Russell, Sharpe, Simmons, Smith, of Columbus, Stilley, Scoggin, Teague, Thompson, Trull, Waugh, Webb, Wheeler, Wilson, Yellowley and York—75.

For Mr. French—Messrs. Baxter, Cameron, Farrow, Hyman, Lee, of Gates, Leigh, of Tyrrell, Luke, McAden, McEachern, McNair, Moore, of Alamance, Moore, of Martin, Murphy, Niven, Thigpen and Williams—16.

For Mr. Wright—Messrs. Burgess, Caldwell, Chadwick, Cox, Everett, Gidney, Holderby, Hutchison, Jenkins, of Warren, Judkins, Kenan, Lucas, Smith, of Guilford, Smith, of Hertford and Whitley—15.

For Mr. Holmes—Messrs. Hoke and Logan—2.

The Speaker announced the following Standing Committees:

On Internal Improvements: Messrs. Hoke, Everett, Burton, Hutchison, Baxter, Davis, of Halifax, Page, Chadwick, Smith, of Columbus, and Bryson.

On Privileges and Elections: Messrs. Henry, Allison, Faircloth, of Wayne, Murphy, Smith, of Guilford, Gidney, Dalby, McNair, Horton and Gaines.

On Propositions and Grievances: Messrs. Sharpe, Dunn, Murrill, Russell, Harrison, Stilley, Paschall, Blair, Bonner and Blythe.

On Agriculture: Messrs. Simmons, Burgess, Newsom, Foster, Hodnett, Rosebro', Moore, of Chatham, Furr, Beasley and Scoggins.

On Private Bills: Messrs. Waugh, Lee, of Gates, Melson, Davis, of Carteret, Faircloth, of Greene, Arrington, Flythe, McDonald, Barnett, Shaw, Faison, Whitley, Craige, Jenkins, of Gaston, Palmer and Dickey.

On Military Affairs: Messrs. Webb, Hyman, Kenan, Luke and Marler.

On Public Buildings: Messrs. Joyner, Judkins and Moore of Alamance.

On Library: Messrs. Cameron, Kenan and Russell.

On the Deaf, Dumb and Blind: Messrs. McKay, Jenkins, of Warren, Allison, Davis, of Halifax, and Craige.

On Insane Asylum: Messrs. Blackmer, Yellowley, Henry, Waugh and York.

On Cherokee Lands: Messrs. Logan, Hamilton, Coates, Crawford and Matthews.

On Swamp Lands: Messrs. Baxter, Farrow, Leigh, of Tyrrell, Lucas and McEachern.

Mr. Russell, from the committee appointed to superintend the election of Judge for the 5th Circuit, reported the whole number of votes cast to be 155,—necessary to a choice 78. Mr. Buxton received 101, Mr. Wright 18, Mr. French 27 and

Mr. Holmes 9. Hon. R. P. Buxton was accordingly declared duly elected.

On motion of Mr. Simmons, a message was sent to the Senate, proposing to vote at once for Solicitor for the 5th Judicial Circuit,—Messrs. W. S. Devane, J. W. Cameron, A. M. Waddell, Neill McKay, Giles Leitch, Jas. McCorkle and A. R. McDonald being in nomination.

The Senate concurred, and the House voted as follows, under the superintendence of Messrs. Kenan and McNair.

For Mr. McKay—Messrs. Speaker, Ashworth, Barnett, Baxter, Blair, Bryson, Burgess, Burton, Caldwell, Candler, Carson, Chadwick, Cox, Craige, Crawford, Dalby, Dickey, Dunn, Faircloth, of Greene, Ferrell Flythe, Foster, Garland, Harper, Harrison, Henry, Hodnett, Horton, Houston, Hutchison, Jenkins, of Granville, Jones, Judkins, Logan, Lyon, Marler, McDonald, McIntosh, Melson, Mott, Murrill, Nicks, Newsum, Page, Palmer, Paschall, Potter, Rosebro', Shaw, Simmons, Smith, of Guilford, Stilley, Scoggin, Thompson, Waugh, Webb, Wheeler, Whitley, Wilson and York—60.

For Mr. Leitch—Messrs. Davis, of Halifax, Everett, Faircloth, of Wayne, Gidney, Hyman, Joyner, Lucas, Luke, McEachern, McNair, Smith, of Hertford and Thigpen—12.

For Mr. Cameron—Messrs. Bonner, Farrow, Hoke, Lee, of Gates, Leigh, of Tyrrell, Moore, of Alamance, Niven, Russell, Smith, of Columbus, Teague, Trull and Yellowley—12.

For Mr. McCorkle—Messrs. Allison, Blackmer, Furr, Gaines, Holderby, Holmes, Jenkins, of Gaston, Kinney and McGuire—9.

For Mr. McDonald—Messrs. Beasley, Black, Blythe, Coates, Davis, of Carteret, Hamilton, Matthews and Moore, of Chatham—8.

For Mr. Devane—Messrs. Kenan, Murphy and Williams—3.

For Mr. Waddell—Messrs. Hanrahan and Moore, of Martin—2.

A message was received from the Senate, proposing to go

immediately into an election for Judge of the 3d Judicial District, and informing the House that Hon. D. G. Fowle and William Eaton, Jr., were in nomination.

The House agreed to the proposition, and voted as follows,—Messrs. Judkins and Ferrell superintending the election:

For Mr. Fowle—Messrs. Speaker, Allison, Ashworth, Barnett, Beasley, Black, Blackmer, Blair, Blythe, Bryson, Burgess, Burton, Caldwell, Cameron, Candler, Carson, Coates, Cox, Craige, Crawford, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Farrow, Ferrell, Flythe, Furr, Gaines, Garland, Hamilton, Harper, Hanrahan, Henry, Hodnett, Holderby, Holmes, Horton, Houston, Hutchison, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Logan, Lucas, Lyon, Marler, Matthews, McDonald, McEachern, McGuire, McIntosh, McKay, McNair, Melson, Moore, of Chatham, Mott, Murphy, Murrill, Niven, Newsum, Page, Palmer, Paschall, Potter, Rosebro', Russell, Sharpe, Simmons, Smith, of Columbus, Smith, of Guilford, Stilley, Scoggin, Teague, Thompson, Trull, Waugh, Webb, Wheeler, Williams, Wilson, Yellowley and York—85.

For Mr. Eaton—Messrs. Baxter, Bonner, Chadwick, Dalby, Davis, of Halifax, Foster, Gidney, Harrison, Hoke, Hyman, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Luke, Moore, of Alamance, Moore, of Martin, Shaw, Smith, of Cumberland, Smith, of Hertford, Thigpen and Whitley—24.

Mr. Kenan, from the committee, reported that the whole number of votes cast for Solicitor of the 5th Judicial Circuit was 146—necessary to a choice 74; That Mr. McKay had received 74, Mr. Leitch 20, Mr. Cameron 15, Mr. McCorkle 13, Mr. McDonald 12, Mr. Devane 8, and Mr. Waddell 4; and that Mr. McKay having received the requisite number, was duly elected.

Mr. Hutchison introduced a bill to authorize the magistrates, in each county to levy a tax for the purpose of work-

ing the public roads;" which was read and referred to the Judiciary Committee.

On motion of Mr. Moore, of Alamance, the House adjourned until Monday morning, 11 o'clock.

MONDAY, Deceeber 4, 1865.

Prayer by Rev. Mr. Skinner.

Mr. Jno. R. Hawes, a member elect from the county of New Hanover, appeared, produced his credentials, was qualified and took his seat.

The Speaker announced Messrs. McNair, Smith, of Cumberland, Bryson, Moore, of Alamance and Scoggin as the committee on Enrolled Bills, upon the part of this House for the ensuing week.

Mr. Kenan introduced a resolution instructing the committee on the Judiciary to enquire into the propriety and expediency of passing a Homestead Law and report by bill or otherwise. Referred accordingly.

Mr. Cowan offered a resolution instructing the Finance Committee to enquire into the expediency of directing the Public Treasurer to recall the bonds of the State issued to the Wilmington, Charlotte and Rutherford Railroad in Februery 1861, and to issue other bonds in their stead, and to report by bill or otherwise. Referred accordingly.

Received a message from His Excellency, the Governor, transmitting the report of the Superintendent of the Lunatic Asylum; which, on motion of Mr. Russell, was ordered to be printed and referred to the committee on said Asylum.

Mr. Murrill offered a resolution, regulating the compensation of the officers and members of the General Assembly, which passed its first reading, and, under a suspension of the rules, was placed upon its second reading, when

Mr. Jones moved to amend by inserting "five dollars," as

the *per diem* of members, engrossing clerks and door-keepers, in lieu of "six dollars" and "seven dollars," respectively, and "eight dollars," as the *per diem* of Speaker, Principal and Assistant Clerks, in lieu of "ten dollars;" which motion did not prevail.

The resolution then passed its second, and, under a further suspension, its final reading, and was ordered to be engrossed and sent to the Senate.

Mr. Ferrell, from the committee appointed on yesterday to superintend the election of a Judge for the 3d Judicial Circuit, reported that the whole number of votes cast was 153—necessary to a choice 77; that Mr. Fowle had received 110, and Mr. Eaton 43, and that Mr. Fowle was accordingly elected. Which report was concurred in.

The following bills were introduced:

By Mr. Allison: A bill to amend sec. 14, chapter 101, of the Revised Code. Referred to Judiciary Committee.

By Mr. Candler: A bill to authorize the construction of a bridge across the French Broad River. Referred to the Committee on Internal Improvements.

Mr. Waugh moved that a message be sent to the Senate, proposing to rescind the joint order for going into an election of United States Senator to-day, at 12 o'clock.

Mr. Russell moved to amend, so as to rescind said order, so far as relates to the election of Senator for the long term.

Mr. Jenkins, of Warren, moved to lay the amendments upon the table; which motion prevailed, yeas 86, nays 24,—the yeas and nays being demanded by Mr. Jenkins.

Those who voted in the affirmative, were:

Messrs. Allison, Arrington, Barnett, Baxter, Blackmer, Blythe, Bonner, Bryson, Burgess, Caldwell, Cameron, Candler, Carson, Chadwick, Cowan, Cox, Dalby, Dargan, Davis, of Carteret, Davis, of Halifax, Everett, Faircloth, of Wayne, Farrow, Faison, Flythe, Foster, Furr, Gaines, Gidney, Hamilton, Harper, Harrison, Hawes, Hanrahan, Hodnett, Hoke, Holmes,

Horton, Houston, Hutchison, Hyman, Jenkins, of Gaston, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Lyon, Manly, Marler, McAden, McEachern, McGuire, McIntosh, McNair, Moore, of Alamance, Moore, of Martin, Mott, Murrill, Niven, Nicks, Newsum, Page, Potter, Rosebro', Sharpe, Shaw, Smith, of Cumberland, Smith, of Guilford, Smith, of Hertford, Stilley, Scoggin, Teague, Thigpen, Thompson, Trull, Webb, Wheeler, Whitley, Wilson, Yellowley and York.

Those who voted in the negative, were:

Messrs. Ashworth, Beasley, Black, Blair, Burton, Craige, Crawford, Dickey, Dunn, Faircloth, of Greene, Garland, Holderby, Jones, Kinney, Matthews, McDonald, McKay, Murphy, Palmer, Russell, Simmons, Smith, of Columbus, Waugh and Williams.

A communication was received from the Secretary of State, announcing the delinquency of the sheriffs of Bertie, Polk and Yadkin, in not making returns of the late election for Governor in those counties, as required by sec. 4, chap. 53, Revised Code.

A message was received from the Senate, proposing to vote at once for Judge of the 6th Judicial Circuit, and informing the House that Hon. J. W. Osborne and Anderson Mitchell, Esq., were in nomination.

The House concurred, Messrs. Hutchison and Sharpe were appointed to superintend the election, and the House voted as follows:

For Mr. Mitchell—Messrs. Speaker, Ashworth, Barnett, Beasley, Black, Blackmer, Blair, Blythe, Burton, Caldwell, Candler, Carson, Coates, Craige, Dalby, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Ferrell, Flythe, Gaines, Garland, Hamilton, Harper, Harrison, Henry, Hodnett, Holderby, Holmes, Horton, Houston, Jenkins, of Gaston, Jones, Kinney, Lyon, Matthews, McAden, McDonald, McGuire, McIntosh, McKay, Melson, Moore, of Alamance, Moore of Chat-

ham, Mott, Murrill, Nicks, Newsum, Page, Palmer, Potter, Rosebro', Russell, Sharpe, Simmons, Smith, of Guilford, Scoggin, Teague, Thompson, Waugh, Webb, Wheeler, Wilson and York—65.

For Mr. Osborne—Messrs. Allison, Arrington, Baxter, Bonner, Bryson, Burgess, Cameron, Chadwick, Cowan, Cox, Crawford, Dargan, Davis, of Halifax, Everett, Faireloth, of Wayne, Farrow, Faison, Foster, Furr, Gidney, Hawes, Hanrahan, Hoke, Hutchison, Hyman, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Manly, Marler, McEachern, McNair, Moore, of Martin, Murphy, Niven, Paschall, Shaw, Smith, of Columbus, Smith, of Cumberland, Stilley, Thigpen, Trull, Whitley, Williams and Yellowley—51.

A message was received from the Provisional Governor, in answer to a resolution of the House, stating that no information had been received from the military authorities, in reply to the Ordinance of the Convention, respecting government horses and mules.

Mr. Faircloth, of Wayne, by leave, introduced a bill concerning fees of County Officers, which was read and referred to the committee on the Judiciary.

Mr. Hutchison, from the committee, reported that there had been cast for Judge of the 6th Circuit 164 votes,—necessary to a choice 83; that Mr. Mitchell had received 94 votes and Mr. Osborne 70, and that Mr. Mitchell was, therefore, duly elected. Which report was concurred in.

The Speaker announced the following additional members of committees heretofore constituted:

Judiciary: Mr. Gidney.

Claims: Mr. Lucas.

Education: Mr. Mott.

Internal Improvements: Mr. McEachern.

Privileges and Elections: Mr. Webb.

Propositions and Grievances: Mr. Williams.

Agriculture: Mr. Palmer.

Received a message from the Senate, asking the concurrence of the House in a proposition to appoint a Joint Select Committee of three on the part of the Senate, and five on the part of the House, to confer with the board appointed under authority of the Convention to prepare a code for the government of freedmen, and ascertain what progress has been made and when a report may be expected.

Concurred in, and the Speaker designated Messrs. Thompson, McAden, Cowan, Hoke and Holderby as composing the House branch of said committee.

Also, a message announcing its readiness,—the hour having arrived,—to vote for United States Senator for the long term, and stating that the Hon. W. A. Graham was in nomination. The House thereupon voted as follows, under the superintendence of Messrs. Cameron and Webb:

For Mr. Graham—Messrs. Speaker, Allison, Arrington, Barnett, Baxter, Beasley, Black, Blackmer, Bonner, Bryson, Burgess, Burton, Caldwell, Cameron, Candler, Carson, Chadwick, Cowan, Cox, Craige, Crawford, Dalby, Dargan, Davis, of Carteret, Davis, of Halifax, Dunn, Everett, Faircloth, of Greene, Faircloth, of Wayne, Farrow, Faison, Ferrell, Flythe, Foster, Furr, Gaines, Garland, Gidney, Harper, Harrison, Hawes, Hanrahan, Henry, Hodnett, Holderby, Hoke, Holmes, Horton, Houston, Hutchison, Hyman, Jenkins, of Warren, Jones, Joyner, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Lyon, Manley, Marler, Matthews, McAden, McDonald, McEachern, McGuire, McIntosh, McKay, McNair, Melson, Moore, of Alamance, Moore, of Martin, Mott, Murphy, Murrell, Niven, Newsum, Palmer, Paschall, Rosebro', Russell, Sharpe, Shaw, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Smith, of Hertford, Stilley, Teague, Thigpen, Thompson, Trull, Webb, Wheeler, Whitley, Williams, Wilson and Yellowley—102.

For Mr. Boyden—Messrs. Ashworth, Blythe, Hamilton, Scoggin, Waugh and York—6.

For Mr. Dick—Messrs. Blair, Coates, Dickey, Kinney, Moore, of Chatham, and Nicks—6.

Received a message from the Senate, announcing that Messrs. McLean, Leitch and Snead constitute their committee on Enrolled Bills for the ensuing week, and also announcing their branches of the Joint Standing Committees.

Also, a message communicating their readiness to proceed at once to an election for United States Senator for the short term, commencing 4th March, 1861, and stating that John Pool, Esq., Hon. Bedford Brown and Hon. Thomas S. Ashe were in nomination. Whereupon,

The House voted as follows, under the superintendence of Messrs. Henry and Niven,—the names of Robt. P. Dick, Esq., and Hon. Nat. Boyden having been previously added to the list of nominations:

For Mr. Pool—Messrs. Speaker, Allison, Ashworth, Barnett, Beasley, Black, Blair, Blythe, Bryson, Burgess, Burton, Caldwell, Candler, Coates, Craige, Crawford, Dalby, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Ferrell, Flythe, Furr, Garland, Hamilton, Harper, Henry, Horton, Houston, Jenkins, of Gaston, Jones, Kinney, Logan, Lyon, McDonald, McGuire, McKay, Melson, Moore, of Chatham, Murrill, Nicks, Newsum, Page, Palmer, Paschall, Potter, Rosebro', Russell, Sharpe, Simmons, Smith, of Columbus, Scoggin, Thompson, Waugh and York—57.

For Mr. Ashe—Messrs. Arrington, Baxter, Bonner, Cameron, Chadwick, Cowan, Dargan, Davis, of Halifax, Everett, Faison, Foster, Gidney, Hawes, Hanrahan, Hyman, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Lucas, Luke, Marler, McAden, McEachern, McNair, Moore, of Alamance, Moore, of Martin, Murphy, Niven, Shaw, Smith, of Cumberland, Smith, of Hertford, Stilley, Thigpen, Trull, Webb, Williams and Yellowley—40.

For Mr. Brown—Messrs. Cox, Farrow, Harrison, Hodnett, Holderby, Hoke, Hutchison, Manly, Matthews and Whitley—10.

For Mr. Boyden—Messrs. Blackmer, Carson, Gaines, Holmes, McIntosh, Mott and Teague—7.

Mr. Wilson voted for Mr. Smith.

Mr. Wheeler voted for Mr. Henry.

Mr. Cameron, from the committee appointed to superintend the election of United States Senator for the long term, reported that the whole number of votes cast was 154,—necessary to a choice 78; that Hon. W. A. Graham had received 138, and all others 16; and that the Hon. William A. Graham, was, therefore, duly elected. Report was concurred in.

On motion of Mr. Craige, a message was sent to the Senate, proposing to ballot immediately for a Judge for the 8th Judicial Circuit, and stating that Messrs. A. S. Merrimon and W. W. Lenoir were in nomination.

The Senate concurring, Messrs. Craige and Wilson were appointed to superintend the election, and the House voted as follows:

For Mr. Merrimon—Messrs. Speaker, Allison, Ashworth, Barnett, Black, Blackmer, Blair, Blythe, Bonner, Bryson, Burgess, Burton, Caldwell, Candler, Coates, Cox, Craig, Dalby, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Farrow, Ferrell, Flythe, Gaines, Garland, Gidney, Hamilton, Harrison, Henry, Hodnett, Holderby, Holmes, Houston, Jenkins, of Gaston, Jones, Joyner, Kinney, Logan, Lyon, Matthews, McAden, McDonald, McGuire, McIntosh, McKay, Melson, Moore, of Alamance, Moore, of Chatham, Murrill, Nicks, Newsum, Page, Paschall, Potter, Rosebro', Russell, Sharpe, Simmons, Smith, of Guilford, Smith, of Hertford, Scoggin, Teague, Thompson, Waugh, Webb, Wheeler, Yellowley and York—71.

For Mr. Lenoir—Messrs. Arrington, Baxter, Beasley, Cameron, Carson, Chadwick, Crawford, Dargan, Davis, of Halifax,

Everett, Faison, Foster, Furr, Harper, Hawes, Hoke, Horton, Hutchison, Hyman, Jenkins, of Warren, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Lucas, Luke, Manly, Marler, McNair, Moore, of Martin, Mott, Murphy, Niven, Shaw, Smith, of Columbus, Smith, of Cumberland, Thigpen, Trull, Whitley, Williams and Wilson—41.

Mr. Henry, from the committee appointed to superintend the election of United States Senator for the short term, reported that the whole number of votes cast was 160,—necessary to a choice 81; that Jno. Pool had received 80, Thos. S. Ashe 47, Bedford Brown 22, Nath'l. Boyden, 7, W. N. H. Smith 2, P. T. Henry 1, and Wm. Eaton, Jr., 1; and that there was no election.

Mr. Wheeler moved that a message be sent to the Senate, proposing to vote at once for Solicitor of the 6th Judicial Circuit, and stating that Messrs. L. Q. Sharpe, D. M. Furches and J. L. McAulay were in nomination. Carried.

On motion of Mr. McAden, a message was sent to the Senate, proposing to vote again for United States Senator at 1½ o'clock, P. M.

Mr. Craige, from the committee, reported that the whole number of votes cast for Judge of the 8th District was 159,—necessary to a choice 80; that Mr. Merrimon had received 104 and Mr. Lenoir 55, and that Mr. Merrimon was therefore elected. Which report was concurred in.

Mr. Smith, of Hertford, offered a resolution, directing the Committee on Finance to report a bill in accordance with the provisions of an ordinance of Convention, ratified October 18, 1865, making it the duty of the General Assembly to provide a scale of depreciation of Confederate currency from the time of its first issue to the end of the war. So referred.

On motion of Mr. Smith, of Hertford, the House adjourned until to-morrow morning, 10 o'clock.

TUESDAY, December 5, 1865.

Prayer by Rev. Mr. Wiley.

Mr. Jenkins, of Warren, rose to a question of privilege and made a personal explanation.

Mr. Manly, from the committee on the Judiciary, to whom was referred "A Bill concerning the burning of Register's books in the County of Burke," reported the same back to the House, with an amendment, recommending that it do pass.

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

The following resolutions and bills were introduced:

By Mr. Bryson: A Resolution in favor of L. G. Ward. Referred to committee on Cherokee Lands.

By Mr. Craig: A resolution instructing the Judiciary committee to enquire into the expediency of granting per diem and mileage to sheriffs visiting Raleigh to render tax returns. So referred.

By Mr. Blythe: A bill to amend sec. 26, ch. 66 Revised Code. Referred to the committee on Education.

By Mr. Moore, of Alamance: A bill to incorporate the town of Company Shops, in Alamance county. Referred to Judiciary Committee.

Mr. Moore, of Chatham, offered a resolution relative to adjournment; which did not prevail.

Mr. Scoggin moved that a message be sent to the Senate, proposing to vote at once for Judge of the 7th Circuit. Not carried.

On motion of Mr. Moore, of Alamance, a message was sent to the Senate, proposing to ballot immediately for Solicitor of the 8th Judicial Circuit; in which the Senate did not concur.

A message was received from the Governor, communicating the report of J. M. Shook, Agent of the Western Turnpike

Road; which was referred to the committee on Internal Improvements.

Received a message from the Senate, proposing to proceed at once to an election for United States Senator for the short term, and stating that John Pool and Thos. S. Ashe were in nomination.

The House concurred, Messrs. Henry and Niven were appointed to superintend the election, and it voted as follows:

For Mr. Pool—Messrs. Speaker, Allison, Ashworth, Barnett, Beasley, Black, Blackmer, Blair, Blythe, Bryson, Burgess, Burton, Caldwell, Candler, Carson, Coates, Craig, Dalby, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Ferrell, Flythe, Garland, Hamilton, Harper, Harrison, Henry, Hodnett, Holderby, Holmes, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Logan, Lyon, Matthews, McAden, McDonald, McGuire, McIntosh, McKay, Melson, Moore, of Alamance, Moore, of Chatham, Murrill, Nicks, Newsum, Page, Palmer, Potter, Rosebro', Russell, Sharpe, Simmons, Smith, of Columbus, Smith, of Guilford, Stilley, Scoggin, Teague, Thompson, Waugh, Webb and York—69.

For Mr. Ashe—Messrs. Arrington, Baxter, Bonner, Cameron, Chadwick, Cowan, Cox, Dargan, Davis, of Halifax, Everett, Farrow, Faison, Foster, Furr, Gaines, Gidney, Hawes, Hanrahan, Hoke, Hutchison, Hyman, Jenkins, of Warren, Joyner, Judkins, Kenan, Leigh, of Tyrrell, Lucas, Manly, Marler, McEachern, McNair, Moore, of Martin, Murphy, Niven, Paschall, Shaw, Smith, of Cumberland, Smith, of Hertford, Thigpen, Trull, Whitley, Williams, Wilson and Yellowley—44.

For Mr. W. N. H. Smith:—Messrs. Lee, of Gates, and Luke.

Mr. Mott voted for Mr. Boyden.

Mr. Henry, from the committee, reported that the whole number of votes cast for Senator was 163,—necessary to a choice 82; that Mr. Poole received 93, Mr. Ashe 60, Mr.

Smith 9, and Mr. Boyden 1; and that Mr. Pool, having received a majority, was duly elected. Which report was concurred in.

Received a message from the Senate, proposing to vote at once for Solicitor of the 6th Circuit, and stating that Messrs. C. M. T. McAuley, R. P. Waring, L. Q. Sharpe, D. M. Furches and Rufus Barringer were in nomination; which was concurred in, Messrs. Trull and Whitley appointed to superintend the election, and the House voted as follows:

For Mr. Sharpe—Messrs. Barnett, Beasley, Bonner, Bryson, Burton, Candler, Carson, Cox, Craig, Crawford, Dalby, Davis, of Carteret, Dunn, Faircloth, of Greene, Ferrell, Foster, Garland, Harper, Harrison, Henry, Holderby, Horton, Jenkins, of Gaston, Jenkins, of Granville, Joyner, Judkins, Lee, of Gates, Matthews, McAden, McIntosh, Melson, Moore, of Alamance, Mott, Murrill, Palmer, Paschall, Rosebro', Simmons, Thompson, Waugh, Webb, Wilson and York—43.

For Mr. Furches—Messrs. Ashworth, Black, Blackmer, Blair, Blythe, Caldwell, Dickey, Faircloth, of Wayne, Flythe, Gaines, Hamilton, Hanrahan, Holmes, Houston, Jones, Kinney, Lyon, McDonald, McGuire, McKay, Moore, of Chatham, Nicks, Newsum, Page, Potter, Russell, Smith, of Columbus, Smith, of Guilford, Scoggin, Teague and Wheeler—31.

For Mr. Waring—Messrs. Arrington, Baxter, Coates, Dargan, Faison, Gidney, Hoke, Hutchison, Hyman, Jenkins, of Warren, Kenan, Luke, Manly, Marler, McNair, Murphy, Shaw, Thigpen, Whitley and Williams—20.

For Mr. Barringer—Messrs. Allison, Cowan, Davis, of Halifax, Furr, Hawes, Logan, Lucas, Moore, of Martin, Smith, of Cumberland, Smith, of Hertford, and Yellowley—11.

For Mr. McAuley—Messrs. Cameron, Chadwick, Everett, Farrow, McEachern, Niven and Trull—7.

On motion of Mr. Jenkins, of Granville, a message was sent to the Senate, proposing to vote forthwith for Attorney Gen-

eral, and announcing that Hons. S. F. Phillips and Sion H. Rogers were in nomination.

Mr. Whitley, from the committee appointed to superintend the election for Solicitor in the 7th C ·cuit, reported the whole number of votes cast to be 159,—necessary to a choice 80. Of this number, Mr. Sharpe received 63, Mr. Furches 44, Mr. Waring 21, Mr. Barringer 22, and Mr. McAuley 9. No election.

Received a message from the Senate, proposing to ballot for Solicitor of the 8th Judicial District, and stating that Messrs. Bedford Brown, David Coleman, and J. L. Henry were in nomination; which was concurred in, Messrs. Bryson and Craig appointed to superintend the election, and the House voted as follows:

For Mr. Brown—Messrs. Ashworth, Barnett, Beasley, Black, Blair, Blythe, Burgess, Burton, Caldwell, Candle , Carson, Coates, Dalby, Davis, of Carteret, Dickey, Dunn, Faircloth, of Wayne, Ferrell, Flythe, Foster, Hamilton, Harrison, Hodnett, Holderby, Holmes, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Lyon, Matthews, McDonald, McGuire, McKay, Moore, of Chatham, Mott, Murrill, Nick, Newsum, Page, Paschall, Russell, Simmons, Smith, of Columbus, Smith, of Guilford, Stilley, Scoggin, Teague, Trull, Waugh, Wheeler and York—54.

For Mr. Coleman—Messrs. Allison, Arrington, Baxter, Blackmer, Bonner, Bryson, Cameron, Chadwick, Cowan, Cox, Dargan, Davis, of Halifax, Everett, Farrow, Faison, Furr, Gaines, Gidney, Harper, Hawes, Hoke, Hutchison, Hyman, Jenkins, of Warren, Joyner, Kenan, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Manly, Marler, McAden, McEachern, McIntosh, McNair, Moore, of Alamance, Moore, of Martin, Murphy, Niven, Shaw, Smith, of Cumberland, Smith, of Hertford, Thigpen, Webb, Whitley, Williams, Wilson and Yellowley—50.

For Mr. Henry—Messrs. Craig, Faircloth, of Greene, Hanrahan, Henry, Judkins, Palmer and Sharpe—7.

Mr. Crawford voted for Mr. Lenoir.

Mr. Craig, from the committee, reported the whole number of votes cast in the foregoing election to be 156,—necessary to a choice 79. Of this number Mr. Brown received 77, Mr. Coleman 68, Mr. Henry 10 and Mr. Lenoir 1. No election.

Received a message from the Senate, asking the concurrence of the House in the following engrossed resolutions:

Resolved by the General Assembly of North-Carolina, That the members of this body, having entire confidence in the loyalty and honor of Z. B. Vance, would be pleased to see an extension of the Executive clemency in his pardon, and believe that this action would be highly gratifying to the people of the State.

Resolved, That the Speakers of this body be and they are hereby instructed to lay these resolutions before his Excellency, the Provisional Governor, and ask him to forward them to the President of the United States, with the assurance that the action of this Assembly, in the premises, springs from a sincere desire to promote the patriotic aims of His Excellency, the President, in reconstructing the Union and restoring to it the blessings of domestic tranquility.

The resolutions were adopted and ordered to be enrolled—yeas, 97, nays 13.

Mr. Russell demanded the yeas and nays:

Those who voted in the affirmative were:

Messrs. Allison, Arrington, Barnett, Baxter, Black, Blackmer, Bonner, Bryson, Burgess, Burton, Caldwell, Cameron, Candler, Chadwick, Cowan, Cox, Craig, Crawford, Dalby, Dargan, Davis, of Carteret, Davis of Halifax, Dunn, Everett, Faircloth, of Greene, Faircloth, of Wayne, Farrow, Faison, Ferrell, Flythe, Foster, Furr, Gaines, Gidney, Harper, Harrison, Hawes, Hanrahan, Hodnett, Holderby, Hoke, Holmes,

Horton, Houston, Hutchison, Hyman, Jenkins, of Granville, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Lyon, Manly, Marler, Matthews, McAden, McDonald, McEachern, McGuire, McIntosh, McKay, McNair, Moore, of Alamance, Moore, of Martin, Mott, Murphy, Murrill, Niven, Newsum, Paschall, Rosebro', Russell, Sharpe, Shaw, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Smith, of Hertford, Stilley, Teague, Thigpen, Thompson, Trull, Waugh, Webb, Wheeler, Whitley, Williams, Wilson, Yellowley and York.

Those who voted in the negative were:

Messrs. Ashworth, Beasley, Blair, Blythe, Carson, Coates, Kinney, Moore, of Chatham, Nicks, Page, Palmer, Potter and Scoggin.

Received a message from the Senate, proposing to vote again for Solicitor of the 6th Judicial Circuit, and announcing that the names of Messrs. Waring and McAuley were withdrawn from nomination. The House concurred, and voted as follows, under the superintendence of Messrs. McGuire and Rosebro':

For Mr. Sharpe—Messrs. Barnett, Baxter, Beasley, Bryson, Burton, Cameron, Candler, Carson, Chadwick, Cox, Craig, Crawford, Dalby, Dargan, Davis, of Carteret, Davis, of Halifax, Dunn, Everett, Faircloth, of Greene, Farrow, Ferrell, Foster, Garland, Gidney, Harper, Hodnett, Holderby, Hoke, Horton, Hutchison, Hyman, Jenkins, of Gaston, Jenkins, of Granville, Jenkins, of Warren, Judkins, Lee, of Gates, Leigh, of Tyrrell, Logan, Luke, Manly, Marler, Matthews, McAden, McEachern, McIntosh, McKay, McNair, Moore, of Alamance, Moore, of Martin, Murphy, Murrill, Niven, Palmer, Paschall, Rosebro', Russell, Shaw, Simmons, Smith, of Cumberland, Smith, of Hertford, Stilley, Thigpen, Waugh, Webb, Wheeler, Whitley, Williams, Wilson and York—69.

For Mr. Furches—Messrs. Ashworth, Black, Blackmer, Blair, Blythe, Burgess, Caldwell, Dickey, Faircloth, of Wayne,

Flythe, Gaines, Hamilton, Hanrahan, Henry, Holmes, Houston, Jones, Kinney, Lyon, McDonald, McGuire, Moore, of Chatham, Nicks, Newsum, Page, Potter, Smith, of Columbus, Smith, of Guilford, Seoggin, Teague and Thompson—31.

For Mr. Barringer—Messrs. Allison, Arrington, Bonner, Coates, Cowan, Faison, Furr, Hawes, Kenan, Lucas and Trull—11.

Received from the Senate a message, agreeing to the proposition to vote at onee for Attorney General; whereupon the House, under the superintendence of Messrs. Page and Webb, voted as follows:

For Mr. Phillips—Messrs. Allison, Ashworth, Barnett, Black, Blackmer, Blair, Blythe, Bonner, Bryson, Burgess, Burton, Caldwell, Cameron, Candler, Carson, Crawford, Davis, of Carteret, Dickey, Flythe, Furr, Gaines, Garland, Hamilton, Harper, Harrison, Henry, Hodnett, Holderby, Holmes, Houston, Jenkins, of Gaston, Jones, Kinney, Logan, Lucas, Matthews, McEachern, McGuire, McIntosh, McKay, Moore, of Alamance, Moore, of Chatham, Murrill, Nicks, Newsum, Page, Palmer, Paschall, Potter, Rosebro', Russell, Shaw, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Stilley, Seoggin, Teague, Thompson, Waugh, Webb, Wheeler, Whitley, Wilson and York—65.

For Mr. Rogers—Messrs. Arrington, Baxter, Beasley, Chadwick, Cowan, Cox, Dalby, Dargan, Davis, of Halifax, Everett, Faircloth, of Wayne, Farrow, Faison, Ferrell, Foster, Hawes, Hanrahan, Hoke, Horton, Hutchison, Hyman, Jenkins, of Granville, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Luke, Lyon, Manly, Marler, McAden, McDonald, Melson, Moore, of Martin, Mott, Murphy, Niven, Sharpe, Simmons, Smith, of Hertford, Thigpen, Trull, Williams and Yellowley—46.

Mr. Coates voted for Mr. Mason.

Mr. McGuire, from the committee appointed to superintend the election for Solicitor of the 6th Judicial Circuit, reported

that the whole number of votes east was 158,—necessary to a choice 80 ; that Mr. Sharpe received 92, Mr. Furches 42, and Mr. Barringer 24, and that Mr. Sharpe was duly elected. Which report was concurred in.

Mr. Webb, from the committee appointed to superintend the election for Attorney General, reported that the whole number of votes east was 159,—necessary to a choice 80; that Mr. Rogers had received 82, Mr. Phillips 76, and Mr. Mason 1, and that Mr. Rogers having received a majority, was duly elected. Which report was concurred in.

Received a message from the Senate, proposing to proceed to the election of a Judge for the 7th Judicial District, and stating that Hons. W. M. Shipp, G. W. Logan and B. S. Gaither were in nomination; which proposition was concurred in, and the House voted as follows, under the superintendence of Messrs. Hoke and Marler:

For Mr. Shipp—Messrs. Allison, Arrington, Barnett, Baxter, Black, Blackmer, Blair, Blythe, Burton, Caldwell, Cameron, Candler, Chadwick, Cowan, Cox, Dalby, Dargan, Dunn, Everett, Faircloth, of Greene, Faircloth, of Wayne, Farrow, Flythe, Furr, Gaines, Gidney, Hamilton, Harrison, Hawes, Henry, Hodnett, Holderby, Hoke, Holmes, Horton, Houston, Hutchison, Jenkins, of Gaston, Jones, Joyner, Judkins, Kinney, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Matthews, McAden, McDonald, McEachern, McGuire, McIntosh, McKay, McNair, Melson, Moore, of Alamance, Moore, of Martin, Murphy, Murrill, Niven, Nicks, Newsum, Paschall, Russell, Sharpe, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Smith, of Hertford, Stilley, Scoggin, Teague, Thompson, Trull, Waugh, Webb, Wheeler, Whitley, Williams and York—81.

For Mr. Gaither—Messrs. Bonner, Bryson, Burgess, Craig, Crawford, Davis, of Carteret, Foster, Garland, Harper, Hyman, Jenkins, of Warren, Kenan, Luke, Manly, Marler, Palmer, Shaw, Thigpen, Wilson and Yellowley—20.

For Mr. Logan—Messrs. Ashworth, Beasley, Carson, Coates, Dickey, Ferrell, Jones, Moore, of Chatham, Potter and Rosebro'—10.

Mr. Hoke, from the committee to superintend the foregoing election, reported that the whole number of votes cast was 158,—necessary to a choice 80; that Mr. Shipp had received 117, Mr. Gaither 29, and Mr. Logan 12; and that Mr. Shipp was therefore duly elected. Which report was concurred in.

Mr. Faison submitted, by leave, the following resolution:

Resolved, That this General Assembly adjourn on Thursday morning next, and meet again on the 2nd Monday of February next, subject to the call of the Governor.

Which was not carried.

Received a message from the Senate, proposing to raise a Joint Select Committee of two on the part of each House to make arrangements for counting the votes polled for Governor at the recent election.

Also, a message proposing to raise a Joint Select Committee, to consist of three on the part of the Senate and five on the part of the House, to propose a scale of depreciation of the Confederate currency, under an Ordinance of the Convention;

Also, a message proposing to raise a Joint Select Committee, to consist of two on the part of the Senate and three on the part of the House, to take into consideration the subject of the adjournment of the Legislature;

All of which were severally concurred in; and the Speaker announced the following committees in pursuance thereof, viz:

On counting vote for Governor:—Messrs. Wheeler and Waugh.

On scale of depreciation:—Messrs. Smith, of Hertford, Joyner, Caldwell, Thompson and Holmes.

On the matter of adjournment:—Messrs. Jenkins, of Warren, Murphy and Harrison.

On motion of Mr. Faircloth, of Wayne, a message was sent

to the Senate, proposing to vote again for Solicitor of the 8th Judicial Circuit, and announcing that the name of J. L. Henry had been withdrawn from the list of those in nomination.

Received a message from the Senate, proposing to ballot for Solicitor of the 7th Judicial Circuit, and announcing that W. P. Bynum was in nomination before that body.

The House concurred, and voted as follows, under the superintendence of Messrs. Hoke and Gidney,—the names of Messrs. G. N. Folk and G. W. Whitfield having been previously added to the list of nominations:

For Mr. Bynum—Messrs. Allison, Ashworth, Barnett, Beasley, Black, Blair, Blythe, Bryson, Burton, Caldwell, Cameron, Candler, Carson, Chadwick, Coates, Cowan, Craig, Crawford, Dalby, Dargan, Davis, of Carteret, Davis, of Halifax, Dickey, Dunn, Everett, Faircloth, of Greene, Faircloth, of Wayne, Farrow, Flythe, Foster, Furr, Gaines, Garland, Hamilton, Harper, Harrison, Hawes, Henry, Hodnett, Holderby, Hoke, Holmes, Horton, Houston, Hutchison, Jenkins, of Gaston, Jones, Joyner, Judkins, Kinney, Lee, of Gates, Leigh, of Tyrrell, Lucas, Manly, Matthews, McAden, McDonald, McGuire, McIntosh, McKay, McNair, Melson, Moore, of Alamance, Moore, of Chatham, Murphy, Murrill, Niven, Nicks, Newsum, Page, Palmer, Potter, Rosebro', Russell, Sharpe, Shaw, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith of Guilford, Smith, of Hertford, Stilley, Scoggin, Teague, Thompson, Trull, Waugh, Webb, Wheeler, Whitley, Williams, Wilson, Yellowley and York—94.

For Mr. Folk—Messrs. Blackmer, Bonner, Burgess, Cox, Jenkins, of Warren, Kenan, Luke, Marler and Moore, of Martin—9.

For Mr. Whitfield—Messrs. Arrington, Gidney, Hyman, Logan and Thigpen—5.

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

WEDNESDAY, DECEMBER 6, 1865.

Prayer by Rev. Mr. Hardie.

The following Resolutions and Bills were introduced, viz:

By Mr. Waugh: A resolution concerning the land tax due the United States. Referred to the Committee on Finance.

By Mr. Webb: Resolution concerning sec. 12, ch. 10, Acts of 1861, second session. Committee on Judiciary.

By Mr. Logan: Resolution concerning Distribution Common School Fund. Committee on Education.

By Mr. Caldwell, of Guilford: Bill to authorize C. A. Boon, late sheriff of Guilford, to collect arrears of taxes. Committee on Judiciary.

By Mr. Wheeler: Bill to incorporate Stokesbury Lodge, No. 220 Free and Accepted Masons. Under a suspension of the rules passed 2nd and 3rd readings, and ordered to be engrossed.

By Mr. Burgess: Bill authorizing collection of unpaid taxes in Pasquotank County. Judiciary.

By Mr. Dickey: Bill to provide for the establishment of a ferry on Hiwassie river. Judicary.

By Mr. Rosebro': Bill to stay executions and for other purposes. Ordered to be printed and referred to the Committee on the Judiciary.

By Mr. Hamilton: Bill to empower Robt. McFarland, late sheriff of Polk, to collect arrears of taxes. Judiciary.

By Mr. Jenkins, of Warren: Resolution directing the special committee on Railroads to enquire into contracts entered into, or about to be entered into, between the Wilmington and Weldon Road and Adams' Express Company. Appropriately referred.

By Mr. Thompson: Resolution in regard to the Public Debt. Referred to Committee on Finance.

By Mr. Faircloth, of Wayne: Resolution concerning Homestead Law. Judiciary.

By Mr. Burgess; Bill (accompanied by petition) to amend

an act entitled "An act to extend time for duration of charter for erecting a bridge across Pasquotank river." Referred to Committee on Private Bills.

By Mr. Harper: Resolution instructing the Judiciary committee to enquire into the expediency of giving exclusive jurisdiction to the Superior Courts of Law in all cases of breaches of the peace, for a limited time. Referred to Committee on Judiciary.

Mr. Gidney, from the committee appointed on yesterday to superintend the election of Solicitor for the 7th Judicial Circuit, reported that the whole number of votes cast was 153,—necessary to a choice 77; that Mr. Bynum had received 136, Mr. Folk 12 and Mr. Whitfield 5; and that Mr. Pynum was therefore duly elected. Which report was concurred in.

Mr. Manly, from the committee on Judiciary, to whom was referred a resolution of enquiry into the propriety of allowing sheriffs mileage and per diem in certain cases, reported that no action was necessary, and asked to be discharged from the further consideration of the subject. Concurred in.

Mr. Manly, from the same committee, to whom was also referred a "Bill concerning county officers," reported back the following resolution, in lieu thereof, which was adopted, and the committee discharged from the further consideration of the subject:

Resolved, That a message be sent to the Senate, proposing to raise a Joint Select Committee, to consist of three on the part of the Senate and five on the part of the House, to consider the subject of official salaries and fees, generally, and to report a bill fixing them at reasonable and proper rates.

Mr. Smith, of Hertford, from the Committee on Finance, to whom was referred a resolution instructing said committee to prepare a scale of depreciation of Confederate currency, reported the same back to the House, and recommended its reference to the Joint Special Committee having charge of the subject; which report was concurred in.

Mr. Jenkins, of Warren, presented a memorial from "Widows of Southern Soldiers in North-Carolina," which was referred to the Committee on Propositions and Grievances.

Mr. Murphy moved that a message be sent to the Senate, proposing to vote forthwith for Solicitor of the 8th Judicial Circuit.

Mr. Crawford moved to amend, by inserting "on Friday next," in lieu of the word "forthwith;" which did not prevail.

The original motion was then carried, and the message sent accordingly.

The Senate concurring, the House voted as follows, under the superintendence of Messrs. Bryson and Craig,—the names of Messrs. R. Y. McAden, G. N. Folk and W. G. Candler having been previously added to those in nomination:

For Mr. Coleman—Messrs. Speaker, Allison, Arrington, Bryson, Cameron, Chadwick, Cowan, Craig, Dargan, Everett, Farrow, Faison, Furr, Gaines, Garland, Gidney, Hawes, Hanrahan, Hoke, Holmes, Hutchison, Hyman, Jenkins, of Gaston, Jenkins, of Warren, Kenan, Leigh, of Tyrrell, Logan, Lucas, Luke, Marler, McEachern, McKay, McNair, Melson, Moore, of Martin, Murphy, Niven, Russell, Sharpe, Shaw, Smith, of Cumberland, Smith, of Hertford, Thigpen, Williams, Wilson and Yellowley—46.

For Mr. Brown—Messrs. Ashworth, Barnett, Beasley, Black, Blair, Blythe, Carson, Coates, Dalby, Dickey, Faircloth, of Greene, Faircloth, of Wayne, Ferrell, Foster, Hamilton, Holderby, Houston, Jenkins, of Granville, Jones, Kinney, Lyon, Matthews, McDonald, McGuire, Moore, of Chatham, Nicks, Page, Paschall, Potter, Smith, of Guilford, Stilley, Scoggin, Teague, Trull, Waugh, Wheeler and York—37.

For Mr. McAden—Messrs. Burton, Crawford, Davis of Carteret, Davis, of Halifax, Dunn, Flythe, Harrison, Hodnett, Joyner, Judkins, Manly, Moore, of Alamance, Murrill, Newsum, Simmons, Webb and Whitley—17.

For Mr. Folk—Messrs. Blackmer, Bonner, Burgess, Caldwell, Cox, Horton, McIntosh, Mott and Rosebro'—9.

For Mr. Candler—Messrs. Harper, Henry and Palmer—3.

Mr. Candler voted for Mr. Bryson.

Mr. Craig, from the committee appointed to superintend the foregoing election, reported that the whole number of votes cast was 155; that Mr. Coleman had received 66, Mr. Brown 47, Mr. McAden 23, Mr. Folk 14, Mr. Candler 4 and Mr. Bryson 1; and that 78 votes being necessary to a choice, there was no election.

Mr. Whitley offered the following resolution:

Resolved, That when this House adjourns to-day, it shall stand adjourned until Friday next at 10 o'clock,—to-morrow being Thanksgiving day, under proclamation of the President of the United States.

Which was adopted.

Received a message from the Senate, concurring in the proposition to raise a Joint Select Committee, to whom shall be referred the general subject of Salaries and Fees.

On motion of Mr. McNair, a message was sent to the Senate, proposing to ballot immediately for Public Treasurer, and announcing that Messrs. K. P. Battle and Wm. Sloan were in nomination.

The Senate concurring, the House proceeded to vote as follows, under the superintence of Messrs. Blackmer and McNair:

For Mr. Battle—Messrs. Speaker, Arrington, Baxter Beasley, Black, Bonner, Burgess, Caldwell, Cameron, Candler, Chadwick, Cowan, Cox, Crawford, Davis, of Halifax, Farrow, Foster, Furr, Gaines, Harper, Hawes, Houston, Hyman, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Manly, Marler, McAden, McEachern, McGuire, McIntosh, McKay, McNair, Moore, of Alamance, Moore, of Martin, Murphy, Murrill, Niven, Rosebro', Russell, Sharpe, Shaw, Simmons, Smith, of Cumberland, Smith,

of Guilford, Smith, of Hertford, Teague, Thigpen, Trull, Webb, Wheeler, Whitley, Williams and Wilson—61.

For Mr. Sloan—Messrs. Allison, Ashworth, Barnett, Blackmer, Blair, Blythe, Bryson, Burton, Carson, Coates, Craig, Dalby, Dargan, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Flythe, Garland, Hamilton, Harrison, Henry, Hodnett, Holderby, Holmes, Horton, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Lyon, Matthews, McDonald, Melson, Moore, of Chatham, Mott, Nicks, Newsum, Palmer, Paschall, Potter, Smith, of Columbus, Stilley, Scoggin, Thompson, Waugh and York—48.

Mr. McNair, from the committee appointed to superintend the foregoing election, reported that the whole number of votes cast was 155,—necessary to a choice 78; that Mr. Battle had received 89, and Mr. Sloan 66, and that Mr. Battle was therefore duly elected. Which report was concurred in.

On motion of Mr. Craig, a message was transmitted to the Senate, proposing to vote again for Solicitor of the 8th District, and stating that the names of Messrs. Folk, McAden and Candler were withdrawn from nomination.

The Senate concurring, the House voted as follows, under the further superintendence of Messrs. Bryson and Craig:

For Mr. Coleman—Messrs. Speaker, Allison, Arrington, Baxter, Blackmer, Bonner, Bryson, Burgess, Caldwell, Cameron, Chadwick, Cowan, Cox, Craig, Crawford, Davis, of Carteret, Davis, of Halifax, Everett, Farrow, Faison, Flythe, Foster, Furr, Gaines, Garland, Gidney, Harper, Hawes, Hanrahan, Hoke, Holmes, Houston, Hutchison, Hyman, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Manly, Marler, McAden, McEachern, McIntosh, McNair, Melson, Moore, of Alamance, Moore, of Martin, Murphy, Murrill, Niven, Palmer, Roscbro', Shaw, Smith, of Cumberland, Smith, of Hertford, Thigpen, Trull, Whitley, Williams, Wilson and Yellowley—66.

For Mr. Brown—Messrs. Ashworth, Barnett, Beasley, Black,

Blair, Blythe, Burton, Carson, Coates, Dalby, Dickey, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Ferrell, Hamilton, Harrison, Hodnett, Holderby, Horton, Jenkins, of Granville, Jones, Kinney, Lyon, Matthews, McDonald, McGuire, Moore, of Chatham, Nicks, Page, Paschall, Potter, Scoggin, Teague, Waugh, Wheeler and York—37.

For Mr. McAden—Mr. Mott—1.

Mr. Bryson, from the joint committee appointed to superintend the preceding election, reported as follows: whole number of votes cast 149,—necessary to a choice 75. Mr. Coleman received 90, Mr. Brown 55, Mr. Candler 3 and Mr. McAden 1. Mr. Coleman duly elected. Report concurred in.

Mr. Simmons moved that a message be sent to the Senate, proposing to vote for Comptroller; which motion prevailed.

Mr. Faircloth, of Wayne, moved a re-consideration of the vote by which the foregoing message was directed to be sent; which was ordered,

And, then, the motion was rejected.

Received a message from the Senate, asking the concurrence of the House in the following resolutions:

Resolved, by this General Assembly, (the House of Commons concurring,) that the Provisional Governor be requested to communicate to the General Assembly, whether he has the power conferred upon him by the National Government to restore the several Courts of the State, with their accustomed jurisdiction.

Resolved, If he has the power to do so, that the Provisional Governor be requested to restore said Courts, with their ancient jurisdiction, civil and criminal, subject to such limitations and restrictions as may be imposed by this General Assembly.

Which, on motion of Mr. Smith, of Hertford, were referred to the Committee on the Judiciary.

Mr. Blackmer offered the following joint resolution:

Resolved, That the thanks of the State are due to Dr. R. J.

Powell, Agent of the State in Washington City, for his constant efforts to oblige all our citizens having business in that city, and also for the zeal he has exhibited in endeavoring to remove the utterly false impression that there is any hostility, or appearance of hostility, to a restoration of our relations with the United States, on the basis prescribed by President Johnson.

Which, on motion of Mr. McAden, was referred to a special committee of three.

Whereupon, the Speaker designated Messrs. Blackmer, Dargan and McAden as composing said committee.

Received a message from the Senate, proposing to the House to raise a joint select committee of five on the part of each House, to be entitled a committee on Federal Relations.

Which was concurred in, and Messrs. Cameron, Burton, Sharpe, Hutchison and Russell, designated as the committee on the part of the House.

On motion, the House adjourned until Friday morning, 10 o'clock.

FRIDAY, DECEMBER, 8, 1865.

Prayer by Rev. Mr. Gannon.

The Speaker announced the following gentlemen as composing the House branch of the Committee on Salaries and Fees, viz: Messrs. McAden, Harper, Chadwick, Holderby and Kenan.

On motion, leave of absence until Monday morning next was granted to Messrs. Coates, Faircloth, of Greene, Moore, of Chatham, Houston, Caldwell, Smith, of Guilford, and Holmes; and, until Tuesday, to Mr. Murphy.

The following bills and resolutions were introduced:

By Mr. Crawford: Resolution in favor of the Provisional

Sheriffs of the several counties of the State. Referred to the Committee on the Judiciary.

By Mr. Niven: Resolution requesting the Provisional Governor to supply the militia with arms and ammunition. Military Affairs.

By Mr. Holderby: Resolution instructing Judiciary Committee to enquire into the expediency of empowering the Courts of Pleas and Quarter Sessions to levy taxes for county purposes. So referred.

By Mr. Chadwick: Bill to empower A. C. Latham, sheriff of Craven, to collect arrears of taxes. Judiciary.

By Mr. Waugh: Resolution instructing Judiciary Committee to inquire into the expediency of preparing and reporting a bill for the relief of sheriffs, in reference to the collection of back taxes. So referred.

By Mr. Smith, of Hertford: Bill to revive and continue in force certain acts for the relief of persons who may suffer from the destruction of the records of Hertford county. Judiciary.

By the same: Bill regulating the terms of the Supreme Court, and for other purposes. Judiciary.

By the same: Bill regulating the salaries of the Judges of the Supreme and Superior Courts. Same reference.

By the same: Bill to prevent the discontinuance of causes in certain cases. Same reference.

By Mr. Burton: Bill in favor of Walker Smith, sheriff of Rockingham county. Judiciary.

Mr. Houston offered the following resolution:

Resolved, That the Speaker appoint a Special Committee of five members, to be styled the Committee on Corporations.

Which was adopted, and the Speaker designated the following gentlemen as composing said committee, viz: Messrs. Blackmer, Houston, Burton, Hawes and Cox.

On motion of Mr. Jenkins, of Warren, the rules were sus-

pended, and the names of Messrs. Hoke and Smith, of Hertford, were added to the Committee on the Judiciary.

By Mr. Houston: Bill to amend an act passed February, 1859, entitled "An act to incorporate the town of High Point, Guilford county." Referred to Committee on Corporations.

By Mr. Baxter: Bill to establish a Homestead Freehold and for other purposes. Judiciary.

By Mr. McIntosh: Bill for the relief of the citizens of Alexander county, who may be injured by the destruction of its public records. Committee on the Judiciary.

On motion of Mr. Waugh, it was

Ordered. That a message be sent to the Senate, proposing to raise a Joint Select Committee of five on the part of the House, and three on the part of the Senate, to take into consideration the subject of a stay law.

Mr. Waugh, from the committee appointed to make suitable arrangements for counting the vote for Governor at the recent election, submitted the following report:

"That the two Houses of the General Assembly shall convene in the hall of the House of Commons on Saturday, the 9th day of December, 1865, at 12 o'clock, M., and the Speaker of the Senate shall be the presiding officer; that one person shall be appointed teller on the part of the Senate, and two on the part of the House, to make a list of the votes polled for Governor of the State at the late election, as they shall be declared by the Speaker of the Senate. The result shall be delivered to the Speaker of the Senate, who shall announce to the two Houses the state of the vote and the person elected; which annunciation shall be a sufficient declaration of the person elected, and, together with the list of votes, shall be entered on the journals of the two Houses."

Which was read and adopted, and ordered to be sent to the Senate for their concurrence.

Mr. Logan, from the Committee on Cherokee Lands, to whom was referred a resolution in favor of L. G. Ward, re-

ported the same back, with an amendment, recommending its passage.

The resolution, as amended, then passed its second reading.

Received a message from the Senate, transmitting an engrossed bill, entitled "A bill to exempt the Raleigh and Gaston Railroad Company from re-building the bridge over the Roanoke river at Gaston;" which was referred to the committee on Internal Improvements.

Mr. Blackmer, from the committee on the Lunatic Asylum, submitted the following report:

"The Joint Committee of the Senate and House of Commons on the Insane Asylum nominate the following gentlemen as Directors of the Institution and recommend their election, viz: Dr. M. F. Arendell, of Carteret; Jos. Keener, of Jackson; Isaac H. Saunders, of Onslow; H. M. Waugh, of Surry; R. W. Allison, of Cabarrus; W. H. Wheeler, of Forsythe; Giles Leitch, of Robeson; M. L. Holmes, of Rowan; W. K. Lane, of Wayne; A. H. Davis, of Halifax; A. D. McLean, of Harnett; and Ruffin Williams, Henderson Hodge, W. D. Jones and W. S. Mason, of Wake."

Mr. Niven moved to amend the report by the substitution of the name of Wm. Smith, of Anson, for that of Jos. Keener, of Jackson; which was not agreed to.

The report was then concurred in, and the gentlemen nominated as Directors declared duly chosen.

Mr. Holderby offered the following resolutions, which were referred to the committee having charge of that subject:

Resolved, That this Legislature (the Senate concurring) take a recess from Monday, the 11th inst., until such day as the Speakers of the two Houses may convene the same.

Resolved further, That, in case either of the Speakers, from any cause, be unable to act, then, and in that event, a call from one or either one of them shall be valid.

Mr. Kenan offered a resolution, providing for furnishing each Clerk of the County Courts of the State ten copies of the

Ordinances of the late Convention; which, under the rules was laid over for one day.

Mr. Ashworth, by leave, introduced a bill for the relief of poor debtors; which was read and referred to the committee on the Judiciary.

Mr. McAden, by leave, presented a memorial in relation to a publication of Dr. Curtis, Assistant State Geologist; which was referred to the Committee on Propositions and Grievances.

Mr. Baxter introduced a resolution, relative to an additional doorkeeper; which was not adopted.

Received a message from the Senate, announcing Messrs. Winstead and Hall as their branch of the Joint Select Committee on Salaries and Fees; and Messrs. Leach, Howard, Warren, Cowper and Isbell as their branch of the committee on Federal Relations.

Also, a message concurring in the proposition to raise a Joint Committee to take into consideration the subject of a Stay Law, and announcing Messrs. Jones, of Columbus, and Wilson, as their branch of said committee.

Also, concurring in the arrangements made for counting the vote for Governor on Saturday at 12 o'clock.

Mr. McNair moved that a message be sent to the Senate, proposing to vote for seven Councillors of State; which was not agreed to.

Mr. McNair then moved that a similar message be sent, proposing to go into said election on Monday next, at 12 o'clock; which motion prevailed.

Received a message from the Senate, asking the concurrence of the House in the following resolution:

Resolved, That this Legislature adjourn on Monday, December 18th instant, at 6 o'clock, A. M., to meet again on the first Monday of February next.

Mr. Holderby moved to amend by inserting "Thursday, December 14," in lieu of "Monday, December 18;" which amendment did not prevail.

The proposition of the Senate was then agreed to, and it informed thereof by message.

Mr. Potter, by leave, introduced a bill in favor of A. J. McBride, sheriff of Watauga; which was referred to the Committee on the Judiciary.

Mr. Waugh, by leave, offered the following resolution, which was read and referred to the Committee on the Judiciary:

Resolved, That the Committee on the Judiciary be instructed to enquire and report whether elections made by the General Assembly since May 20, 1861, for the offices of Superintendent of Common Schools, Trustees of the University, etc., are valid or not, and that they report by bill or otherwise.

Received a message from the Senate concurring in the election of Directors for the Lunatic Asylum.

Also, a message asking the concurrence of the House in the following resolution:

Resolved, (The House of Commons concurring,) that the committee appointed to count the votes polled for Governor in November last, be instructed to make arrangements for the administration of the oaths of office to the Governor elect, at the same time the returns are opened and the votes counted.

Which was concurred in, and Messrs. Wheeler and Waugh appointed the committee to count said vote and make said arrangements.

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

SATURDAY, December 9, 1865.

Prayer by Rev. Mr. Hardie.

The Speaker announced the following gentlemen as composing the House branch of the committee on the subject of the stay law, viz: Messrs. Waugh, McNair, Jones, Farrow and Whitley.

Mr. Manly, from the Committee on the Judiciary, to whom was referred a resolution of enquiry into "the expediency of giving exclusive jurisdiction to the Superior Courts in all cases of breaches of the peace for a limited time," reported the same back, and asked to be discharged, for reasons stated, from its further consideration. So ordered.

Also, the Senate resolution in relation to the restoration of the Courts, with their ancient jurisdiction, recommending the concurrence of the House therein.

Also, the "bill to authorize the magistrates in each county to levy a tax for the purpose of working the public roads," recommending that it do not pass.

Also, a "bill to amend sec. 14, chap. 101, of the Revised Code," recommending that it do not pass.

Also, a "bill to incorporate the Durham Academy in the county of Orange," recommending its passage, with an amendment.

Mr. Hoke, from the committee on Internal Improvements, to whom was referred an engrossed bill from the Senate, "to exempt the Raleigh and Gaston Railroad Company from rebuilding the bridge across the Roanoke river, at Gaston," reported the same back, and recommended its passage.

Also, the report of J. M. Shook, Agent of the Western Turnpike Company, asking its reference to the Committee on Cherokee Lands; which reference was ordered accordingly.

Also, the bill "authorizing the construction of a bridge across the French Broad river," recommending its passage, with an amendment.

Mr. Smith, from the Committee on Finance, to whom was referred a resolution of enquiry in reference to the recall of certain bonds, heretofore issued in aid of the Wilmington, Charlotte and Rutherford Railroad Company, and the issue of others in their stead, reported back a bill to the House, entitled a "bill for the relief of holders of State bonds issued since May 20, '61, under an act ratified Jan. 16, 1861, entitled

an "Act to secure the completion of the Wilmington, Charlotte and Rutherford Railroad Company, and amend its charter," and recommeded its passage. Passed first reading, and, on motion of Mr. Faircloth, of Wayne, ordered to be printed and made the special order of the day for Tuesday next, 11 o'clock.

Mr. Smith, from the same committee, to whom was referred the resolution of the House in regard to the public debt due, and about to fall due, reported a bill "providing for the payment of the State debt contracted before the war;" which passed its first reading, and, under a suspension of the rules, its second and third readings, and was ordered to be engrossed and sent to the Senate.

Mr. Smith, from the same committee, to whom was referred a resolution of enquiry into the expediency of assuming the land tax due the United States, reported back the following resolution, and recommended its passage:

Resolved, That it is not expedient for the State to assume payment of the direct tax levied by the laws of the United States upon the lands of the people of this State.

Which report and resolution, on motion of Mr. Waugh, were laid upon the table.

Mr. Waugh introduced the following resolution:

Whereas, by an Ordinance of the Convention, it is provided that the Governor elect shall not enter upon the discharge of his duties until the Provisional Government expires: Therefore,

Resolved, That a message be sent to the Senate, proposing to rescind the joint order providing for the administration of the oaths of office to the Governor elect, at the time the votes are counted.

Which was adopted,—yeas 69, nays 24; the yeas and nays being demanded by Mr. Simmons.

Those who voted in the affirmative, were:

Messrs. Allison, Ashworth, Black, Blackmer, Blair, Blythe,

Bryson, Burgess, Burton, Cameron, Candler, Carson, Chadwick, Craig, Crawford, Dalby, Davis, of Carteret, Dickey, Faircloth, of Wayne, Farrow, Ferrell, Flythe, Foster, Furr, Gaines, Garland, Hamilton, Harper, Harrison, Henry, Hodnett, Horton, Hutchison, Jenkins, of Gaston, Jenkins, of Granville, Jones, Joyner, Kinney, Logan, Manly, Matthews, McEachern, McGuire, McIntosh, McKay, Melson, Mott, Murrill, Nicks, Newsum, Page, Palmer, Paschall, Potter, Shaw, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith, of Hertford, Stilley, Scoggin, Trull, Waugh, Webb, Whitley Williams, Wilson, Yellowley and York.

Those who voted in the negative, were:

Messrs. Barnett, Baxter, Beasley, Bonner, Cox, Everett, Gidney, Hawes, Holderby, Hyman, Jenkins, of Warren, Judkins, Kenan, Lee, of Gates, Lucas, Luke, Marler, McNair, Moore, of Alamance, Niven, Russell, Teague, Thigpen and Wheeler.

Received a message from the Senate, concurring in the House proposition to go into an election for seven Councellors of State on Monday next, at 12 o'clock.

Also, announcing the passage of the engrossed bill from the House, entitled a "Bill concerning the burning of the Registers' books in the County of Burke," with certain amendments embracing the County of Sampson, and asking the concurrence of the House in said amendments. Amendments agreed to and the Senate informed thereof by message.

Also, transmitting an engrossed bill "To extend the charter of the Bank of the State of North-Carolina;" which was read the first time and passed.

The following bills and resolutions were introduced:

By Mr. Jenkins, of Warren: Resolution of enquiry as to the propriety of making larceny punishable with death for the third offence. Referred to Committee on Judiciary.

By the same: Bill to make an assault, with intent to com-

mit rape upon the body of a white female, felony punishable with death. Judiciary.

By the same: Bill to make horse-stealing a felony punishable with death. Same reference.

By Mr. Gidney: Resolution instructing committee on scale of depreciation of Confederate currency to take into consideration the propriety of fixing said scale on a produce valuation. Referred to Committee on Judiciary.

By Mr. Garland: Bill for the relief of citizens of Yancey County, on account of destruction of public records. Judiciary.

By Mr. Cameron: Memorial of Robt. S. Ledbetter, of Richmond County, relative to the loss of certain State bonds. Referred to Judiciary Committee.

By Mr. Blythe: Bill giving the election of Clerk and Master in Equity to the qualified voters of Henderson County. Judiciary.

Received a message from the Senate, concurring in the proposition to rescind the joint order for the administration of the oaths of office to the Governor elect.

Also, a message asking the concurrence of the House in the following resolution:

Resolved, That a message be sent to the House of Commons, to raise a Joint Committee to consist of five in number,—two on the part of the Senate and three on the part of the House,—to enquire who are the proper owners of the Piedmont Rail Road; that they report the charter, if any, under which it was incorporated, the stockholders therein, with what funds it was built, how they were supplied with funds, and especially the property in said Company which belonged to the Confederate States and to individuals; and that, for these purposes, the committee have power to send for persons and papers, to examine witnesses on oath, if necessary, and report to this or the adjourned session of the Legislature.

Which was concurred in.

The hour having arrived, according to the joint order of the two Houses, for comparing and examining the returns of the vote for Governor at the election on the 9th day of November last, the two Houses thereupon assembled in general Convention in the hall of the House of Commons. Mr. Speaker Settle, of the Senate, in the Chair, who made the following announcement:

Gentlemen of the Senate
and of the House of Commons:

The two Houses of the General Assembly being now convened, I will proceed, according to the requirements of the law, to open and publish the returns for Governor, held on the 9th day of November last.

And then the tellers of the two Houses proceeded to record the several returns of the sheriffs, as announced by the Chairman of the Convention, as follows:

Counties.*	Worth.	Holden.	Vance.	Scat'r'ng.
Alamance,	619	451		
Alexander,	280	229		
Alleghany,	39	261		
Anson,				
Ashe,	284	472		
Beaufort,	314	427		
Bertie,	76	364		
Bladen,	416	90		
Brunswick,				
Buncombe,	424	568		
Burke,	218	434		
Cabarrus,	287	295	1	
Caldwell,	238	251		

*No official returns received from the Counties of Anson and Brunswick.

Counties.	Worth.	Holden.	Vance.	Scat'r'ng.
Camden,	340	22		
Carteret,	272	256		
Caswell,	185	405		22
Catawba,	715	316		
Chatham,	707	911		
Cherokee & Clay,	241	395	48	
Chowan,	227	58		
Cleaveland,	368	302		
Columbus,	208	285		
Craven,	667	206		
Cumberland,	642	291		
Currituck,	299	72		
Davidson,	633	474		
Davie,	390	103		
Duplin,	462	161	20	
Edgecombe,	426	56		
Forsythe,	1,610	68		
Franklin,	526	104	30	52
Gaston,	163	466		
Gates,	298	35		
Granville,	611	504		
Greene,	217	269		
Guilford,	1,216	518		
Halifax,	506	135		
Harnett,	240	358		
Haywood,	282	302	28	
Henderson & Transylvania,	240	658		
Hertford,	193	66		
Hyde,	169	71		
Iredell,	721	349		
Jackson,	167	276	34	
Johnson,	138	844		
Jones,	126	29		

Counties.	Worth.	Holden.	Vance.	Scat'r'ng.
Lenoir,	316	284		
Lincoln,	309	295		
Macon,	188	99		
Madison,	29	456		
Martin,	333	61		
McDowell,	257	270		
Mecklenburg,	534	353		
Montgomery,	409	224		
Moore,	489	512		
Nash,	220	263		
New-Hanover,	764	114		
Northampton,	192	285		
Onslow,	251	86	3	
Orange,	988	264		
Pasquotank,	289	146		
Perquimans,	242	92	19	
Person,	227	353		
Pitt,	473	145	12	
Randolph,	640	652		
Richmond,	464	129		
Robeson,	620	243		
Rockingham,	571	278		
Rowan,	570	341		
Rutherford & Polk,	136	558		
Sampson,	449	208		
Stanley,	339	286		
Stokes,	265	452		
Surry,	329	616		
Tyrrell,	293	16		
Union,	366	298		
Wake,	453	1,702		
Warren,	525	46		
Washington,	189	92		
Watauga,	287	211		

Counties.	Worth.	Holden.	Vance.	Scat'r'ng.
Wayne,	652	92		
Wilkes,	283	883		
Wilson,	297	211		
Yadkin	406	399		
Yancey & Mitchell,	119	533		
	31,643	25,704	195	74

Whereupon, Mr. Speaker Settle, as President of the Convention, made a declaration of the result as follows:

Gentlemen of the Senate
and of the House of Commons:

The tellers appointed by the two Houses of the General Assembly, to compare the returns and make a list of the votes given at the late election for Governor of this State, report that Jonathan Worth received 31,643 votes, being the highest number of votes given; that W. W. Holden received 25,704 votes, and that there were scattering 269 votes.

No objection being made to this report, I declare Jonathan Worth duly elected Governor of the State of North-Carolina,—to enter upon the duties of his office, whenever the present Provisional Government shall cease, provided such Government shall determine prior to January 1st, 1867.

The Senators having withdrawn, the Speaker of the House resumed the chair.

Mr. Waugh offered the following resolution, which lies over, viz:

Resolved, That, as soon as the Provisional Government of this State is at an end, the Hon. Jonathan Worth, the Governor elect under an Ordinance of the Convention, be requested, in case the General Assembly is not in session, to take the oaths of office before the Chief Justice of the Supreme Court,

and enter upon the discharge of the duties of his office for the term to which he was elected, under the Ordinance of said Convention: *Provided*, That said Provisional Government comes to an end any time prior to the 1st day of January, A. D., 1867.

On motion of Mr. Jenkins, of Warren, the House adjourned until Monday morning, 10 o'clock.

MONDAY, DECEMBER 11, 1865.

Prayer by Rev. Mr. Skinner.

The Speaker announced the following committees:

On the Piedmont Railroad.—Messrs. Smith, of Columbus, Murphy and Allison.

On enrolled Bills for the week.—Messrs. Harrison, Black, McGuire, Faison and Marler.

Leaves of absence were granted to Messrs. Foster, McKay, Manly and Thompson.

The following Bills were introduced:

By Mr. Hoke: Bill extending the time of registration of deeds and grants. Passed first reading.

By Mr. Jenkins, of Warren: Bill to add thirty days hard labor upon the public roads and highways, as an additional punishment for all offences, the punishment whereof is now whipping. Referred to the Committee on Judiciary.

The resolution, directing the Secretary of State to furnish ten copies of the Ordinances of the Convention to each County Court Clerk of the State, was taken up, passed the 2nd and 3rd readings, and was ordered to be engrossed and sent to the Senate.

The following bills were read the second time and passed, and, under a suspension of the rules, read the third time, passed and ordered to be engrossed, viz:

Bill to incorporate Durham Aeademy in the County of Orange;

Bill to authorize the eonstruetion of a bridge aeross the French Broad river.

The following engrossed bills from the Senate were respectively read the second time and passed, and, under a suspension of the rules, the third time, passed and ordered to be enrolled, viz:

Bill to extend the eharter of the Bank of the State of North-Carolina;

Bill to exempt the Raleigh and Gaston Rail Road Company from re-building the bridge over the Roanoke river at Gaston.

The bill to amend sec. 14, ch. 101 Revised Code, coming up on its second reading, was rejected; and

The following bill and resolution, on their second reading, were respectively laid on the table, viz:

Bill to authorize the County Courts to levy taxes for the purpose of working the roads;

Senate resolution of enquiry as to the restoration of the Courts, with their ancient jurisdiction.

The bill in favor of L. G. Ward passed its third reading and was ordered to be engrossed.

Mr. Waugh, from the Committee on Private Bills, to whom was referred a bill eoncerning the construetion of a bridge aeross the Pasquotank river, reported the same back to the House, recommending its passage.

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

Reeeived a message from the Senate, transmitting an engrossed bill for the relief of citizens of Washington County, on aecount of the burning of public records, which, under a suspension of the rules, was read the 2d and 3d times, passed and ordered to be enrolled.

Mr. Holderby offered the following resolution, which was referred to the Committee on the Judiciary:

Resolved, That the Judiciary Committee be requested to enquire into the propriety of allowing each County Court of the State to establish a Board, to be styled "The Board of Conciliation," to which all cases of disagreement arising upon contracts made between May 20, 1861, and May 1, 1865, may be referred for adjustment; and that they report by bill or otherwise.

Mr. Waugh called up the resolution, heretofore introduced by him, relative to the administration of the oaths of office to the Governor elect; which he moved to amend by inserting, after the words "Chief Justice of the Supreme Court," the words "or any Judge of the Superior Courts or any justice."

Mr. Burton proposed, as an additional amendment, the following:

Resolved, That it is the purpose of this General Assembly, in administering the oaths of office to the Governor elect, to provide that he may be ready to enter on the discharge of his duties, when the office of Provisional Governor shall determine by direction of His Excellency, the President of the United States,—but not to go into office until he shall be so directed by the President of the United States.

Mr. Smith, of Hertford, moved the following as a substitute for the whole:

Resolved, That a joint committee of five,—consisting of two members of the Senate and three members of the House,—be appointed to notify the Governor elect of his election, and to make arrangements for administering to him the oaths of office before the recess of the General Assembly.

Which was adopted, and the concurrence of the Senate asked by message.

Received a message from the Senate, proposing to rescind the joint order to vote for Councillors of the State this day; in which the House refused to concur.

Mr. Luke moved that a message be sent to the Senate, proposing to set apart Thursday next, 12 o'clock, as the day and hour for the appointment of Justices of the Peace. Not carried.

Mr. Sharpe introduced, by leave, a bill to qualify the Superior Court Clerks lately elected; on whose motion, the rules were suspended, the bill put upon its second and third readings, passed and ordered to be engrossed.

Received a message from the Senate, concurring in the proposition to appoint a committee to wait upon the Governor elect, inform him of his election and make arrangements for the administration of the oaths of office; whereupon

The Speaker designated Messrs. Waugh, Wheeler and Hyman as composing the House branch of said committee.

The following bills and resolutions were introduced by leave, viz:

By Mr. Davis, of Carteret: Bill to amend sec. 32, chap. 102 Revised Code. Referred to Committee on Salaries and Fees.

By Mr. Sharpe: Resolution relative to fees of Constables. Same reference.

By Mr. Trull: Resolution respecting Constables and Deputy Sheriffs. Judiciary.

By Mr. Murphy: Bill for the relief of Jno. A. Oats, late sheriff of Sampson County. Judiciary.

Mr. Thigpen moved that a message be sent to the Senate proposing to make the appointment of magistrates the special order for Friday next, 11 o'clock. Not adopted.

The hour having arrived for the execution of the joint order, to wit: the election of seven Councillors of State, the following nominations were made therefor: Messrs. Jesse J. Yeates, N. A. McLean, D. L. Russell, Sr., Wm. Eaton, Jr., A. P. Davison, J. T. Leach, Ed. Yellowley, J. R. Hargrove, W. J. T. Miller, Wm. Murphy, C. J. Cowles, W. J. Yates, D. F. Caldwell, E. J. Hale, Sr., Loverd Eldridge, Thos. A. Allison, B. F. Porter, J. M. Parrott, C. I. Harriss, W. A. Wright, Jos. A.

Drake, R. L. Patterson, H. A. Bizzell, W. W. Lenoir, D. M. Carter and Henry A. Lemley.

Whereupon, the House proceeded to vote as follows, under the superintendence of Messrs. McAden and Hutchison:

For Mr. Eaton—Messrs. Speaker, Allison, Arrington, Barnett, Beasley, Black, Blackmer, Bonner, Caldwell, Cameron, Candler, Chadwick, Cowan, Crawford, Dalby, Faison, Flythe, Furr, Gaines, Garland, Gidney, Harper, Harrison, Hawes, Holmes, Houston, Hutchison, Hyman, Jenkins, of Warren, Judkins, Kenan, Kinney, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Marler, Matthews, McAden, McIntosh, McNair, Melson, Moore, of Martin, Mott, Murphy, Niven, Newsum, Palmer, Russell, Shaw, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Smith, of Hertford, Teague, Thigpen, Trull, Webb, Wheeler, Whitley, Williams and Wilson—64.

For Mr. Russell—Messrs. Speaker, Arrington, Beasley, Bonner, Bryson, Burton, Caldwell, Cameron, Carson, Cowan, Crawford, Dalby, Dickey, Faircloth, of Wayne, Flythe, Furr, Hamilton, Harper, Harrison, Hawes, Horton, Houston, Hutchison, Jenkins, of Gaston, Jones, Lee, of Gates, Lucas, McAden, McGuire, McIntosh, Melson, Moore, of Chatham, Mott, Murrill, Nicks, Newsum, Page, Paschall, Potter, Rosebro', Russell, Sharpe, Simmons, Smith, of Columbus, Smith, of Guilford, Scoggin, Teague, Waugh, Webb, Wheeler and Whitley—51.

For Mr. J. J. Yeates—Messrs. Arrington, Barnett, Beasley, Blackmer, Burton, Carson, Chadwick, Cowan, Crawford, Davis, of Carteret, Dickey, Everett, Faircloth, of Wayne, Flythe, Gaines, Gidney, Hamilton, Hawes, Holderby, Horton, Jenkins, of Gaston, Jenkins, of Granville, Jones, Lee, of Gates, Leigh, of Tyrrell, Lucas, Melson, Moore, of Chatham, Moore, of Martin, Murrill, Niven, Nicks, Newsum, Page, Palmer, Paschall, Potter, Shaw, Smith, of Columbus, Smith, of Cumberland, Smith, of Hertford, Scoggin, Thigpen, Waugh, Wheeler, Wilson and York—47.

For Mr. Lemly—Messrs. Speaker, Allison, Barnett, Blackmer, Blair, Carson, Dalby, Dickey, Everett, Faircloth, of Wayne, Faison, Flythe, Furr, Gaines, Garland, Hamilton, Harper, Horton, Hyman, Jenkins, of Gaston, Jenkins, of Granville, Jenkins, of Warren, Jones, Judkins, Leigh, of Tyrrell, Luke, Marler, Matthews, McDonald, McGuire, McIntosh, Moore, of Chatham, Moore, of Martin, Murrill, Newsum, Page, Palmer, Paschall, Smith, of Columbus, Smith, of Hertford, Scoggin, Teague, Thigpen, Webb, Wheeler and York—46.

For Mr. Wright—Messrs. Allison, Arrington, Barnett, Blackmer, Cowan, Craig, Everett, Faison, Furr, Gaines, Gidney, Hawes, Holderby, Holmes, Hutchison, Hyman, Judkins, Kenan, Kinney, Leigh, of Tyrrell, Lucas, Marler, Matthews, McAden, McNair, Melson, Moore, of Martin, Murphy, Shaw, Smith, of Cumberland, Smith, of Hertford, Trull, Whitley, Williams and Wilson—35.

For Mr. Lenoir—Messrs. Beasley, Black, Bryson, Candler, Carson, Cowan, Craig, Flythe, Garland, Harper, Hawes, Horton, Judkins, Kenan, Matthews, Melson, Mott, Murrill, Niven, Newsum, Palmer, Paschall, Rosebro', Sharpe, Simmons, Smith, of Columbus, Trull, Webb, Williams, Wilson and York—31.

For Mr. Cowles—Messrs. Ashworth, Blair, Blythe, Bonner, Burton, Cameron, Carson, Coates, Craig, Dickey, Flythe, Garland, Hamilton, Holderby, Horton, Lee, of Gates, McDonald, Moore, of Chatham, Murrill, Nicks, Newsum, Page, Palmer, Paschall, Potter, Smith, of Columbus, Scoggin, Waugh and York—29.

For Mr. Murphy—Messrs. Speaker, Allison, Blackmer, Bryson, Caldwell, Candler, Davis, of Carteret, Faircloth, of Wayne, Furr, Gaines, Harper, Harrison, Holmes, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jenkins, of Warren, Jones, McEachern, McIntosh, Mott, Smith, of Guilford, Teague, Webb and Wheeler—25.

For Mr. Patterson—Messrs. Speaker, Burton, Caldwell, Craig, Faircloth, of Wayne, Furr, Harper, Harrison, Holderby,

Horton, Houston, Jenkins, of Granville, Jones, McGuire, McIntosh, Mott, Nicks, Potter, Smith, of Guilford, Teague, Wheeler and Whitley—22.

For Mr. Carter—Messrs. Speaker, Ashworth, Blair, Blythe, Carson, Coates, Flythe, Hamilton, Horton, Houston, Jenkins, of Granville, McGuire, Melson, Newsum, Page, Paschall, Potter, Russell, Sharpe, Stilley, Waugh and York—22.

For Mr. Winstead—Messrs. Speaker, Barnett, Caldwell, Candler, Craig, Crawford, Dalby, Furr, Harrison, Holderby, Houston, Jones, McIntosh, Mott, Nicks, Rosebro', Sharpe, Simmons, Smith, of Guilford, Teague, Webb and Wilson—22.

For Mr. Hale—Messrs. Bonner, Cameron, Chadwick, Cowan, Faison, Garland, Hawes, Hyman, Jenkins, of Warren, Lee, of Gates, Lucas, Luke, McEachern, McNair, Murphy, Niven, Palmer, Russell, Shaw, Smith, of Cumberland and Williams—21.

For Mr. Caldwell—Messrs. Speaker, Black, Burton, Caldwell, Candler, Holderby, Houston, Judkins, Kinney, McEachern, McGuire, Murphy, Nicks, Potter, Rosebro', Sharpe, Simmons, Smith, of Guilford, Trull and Waugh—20.

For Mr. Leach—Messrs. Ashworth, Blair, Blythe, Burton, Carson, Coates, Dickey, Hamilton, Jenkins, of Gaston, Jones, Kinney, McDonald, Moore, of Chatham, Nicks, Page, Potter, Russell, Scoggin, Waugh and York—20.

For Mr. Hargrave—Messrs. Allison, Arrington, Bonner, Cameron, Chadwick, Gaines, Harper, Holmes, Judkins, Kinney, Lee, of Gates, Luke, McEachern, McNair, Niven, Smith, of Columbus, Thigpen, Trull, Whitley and Williams—20.

For Mr. Parrott—Messrs. Speaker, Beasley, Bryson, Caldwell, Coates, Dalby, Davis, of Carteret, Dickey, Everett, Harrison, Houston, Jenkins, of Granville, McIntosh, Murrill, Smith, of Guilford, Teague, Webb and Wheeler—18.

For Mr. Yellowley—Messrs. Black, Bonner, Cameron, Faircloth, of Wayne, Faison, Judkins, Lee, of Gates, Luke,

Marler, Matthews, McEachern, McNair, Shaw, Smith, of Cumberland, Thigpen, Trull and Wilson—17.

For Mr. Allison—Messrs. Allison, Blackmer, Bryson, Burton, Candler, Chadwick, Crawford, Holmes, McGuire, Niven, Rosebro', Russell, Sharpe and Simmons—14.

For Mr. Miller—Messrs. Black, Everett, Gidney, Hutchison, Jenkins, of Warren, Judkins, Leigh, of Tyrrell, Logan, Matthews, Moore, of Martin, Paschall, Smith, of Hertford and Trull—13.

For Mr. Baxter—Messrs. Cox, Faison, Garland, Jenkins of Warren, Logan, Luke, Palmer, Russell, Shaw, and Smith, of Cumberland—10.

For Mr. Yates—Messrs. Blackmer, Gaines, Gidney, Hutchison, Jenkins, of Gaston, Kinney, Logan, Murphy and Williams—9.

For Mr. Bizzell—Messrs. Arrington, Faison, Hutchison, Kenan, Logan, McAden, Murphy, Whitley and Williams—9.

For Mr. Harriss—Messrs. Ashworth, Blair, Blythe, Candler, Dickey, Hamilton, Page and Scoggin—8.

For Mr. Davidson—Messrs. Bryson, Crawford, Davis, of Carteret, Leigh, of Tyrrell, Moore, of Martin, and Smith, of Hertford—6.

For Mr. Eldridge—Messrs. Beasley and Everett—2.

For Mr. Wadsworth—Messrs. Smith, of Hertford, Moore, of Martin, Gidney and Chadwick—4.

For N. M. Roan—Messrs. Holderby and Harrison.

On motion of Mr. Jenkins, of Warren, the House adjourned until to-morrow morning, 10 o'clock.

TUESDAY, December 12, 1865.

Prayer by Rev. Dr. Lacy.

Leave of absence until Friday next was granted to Mr. Yellowley.

Mr. Sharpe, from the Committee on Propositions and Grievances, to whom was referred the memorial of the "Widows of Southern soldiers in North-Carolina," reported the same back to the House, and asked to be discharged from its further consideration. So ordered.

The following resolutions and bills were introduced, viz:

By Mr. Moore, of Martin: Resolutions concerning the withdrawal of military law and forces from the State, and favoring the establishment of civil government therein. Ordered to be printed, and made the special order for Thursday next, 11 o'clock.

By Mr. Garland: Bill concerning the county site of Mitchell county. Referred to Committee on Propositions and Grievances.

By Mr. Wilson: Bill concerning Justices of the Peace. Judiciary.

By Mr. Teague: Bill concerning the depreciation of Confederate currency. Referred to Special Committee on scale of depreciation.

By Mr. Bryson: Bill to amend an act entitled "An act to incorporate the Tuckaseegee and Keowee Turnpike Company." Internal Improvements.

By Mr. Blythe: Bill concerning judgments. Committee on Judiciary.

By Mr. Ashworth: Bill to consolidate the offices of Public Librarian and Keeper of the Capitol. Under a suspension of the rules, passed the second reading, and then referred to the Committee on the Library.

By Mr. Coates: Bill to punish the stealing of stock. Judiciary.

By Mr. Furr: Bill to amend sec. 1, ch. 12, of the Revised Code, concerning Bastardy. Committee on Judiciary.

By Mr. Holderby: Resolution of enquiry, instructing the Judiciary Committee to enquire and report what legislation

is necessary for the protection of guardians, trustees and others. So referred.

Mr. McAden, from the committee appointed on yesterday to superintend the vote for seven Councillors of State, reported that the whole number of votes cast was 137,—necessary to a choice 69; of which number, Wm. Eaton, Jr., received 86, D. L. Russell, Sr. 67, H. A. Lemly, 66, J. J. Yeates 58, W. A. Wright 52, C. J. Cowles 47, W. W. Lenoir 35, W. Murphy 36, R. L. Patterson 47, E. J. Hale 21, J. M. Parrott 41, P. H. Winston 41, R. P. Dick 16, D. M. Carter 33, W. J. Yates 19, A. Dockery 12, H. A. Bizzell 18, A. T. Davidson 17, W. S. Mason 4, Jas. Dickson 5, J. T. Leach 23, Jno. Norfleet 3, Dr. W. J. T. Miller 13, D. F. Caldwell 21, J. R. Hargrove 22, C. L. Harriss 8, B. M. Baxter 10, E. C. Yellowley 17, Thos. Allison 14, N. M. Roan 4, W. B. Wadsworth 4, H. Adams 3, J. A. Drake 10, N. A. McLean 7, G. W. Logan 2 and Loverd Eldridge 3; and that Wm. Eaton, Jr., having alone received a majority of the whole number of votes cast, was the only person elected. Which report was concurred in.

Mr. Blackmer presented a memorial to the President of the United States from the General Assembly of the State of North-Carolin; which was read and adopted, and ordered to be sent to the Senate for its concurrence.

Received a message from the Senate, transmitting an engrossed bill to repeal an act entitled "an act to establish the office of Auditor of Public Accounts and for other purposes;" which passed its first reading and was placed upon the calendar.

The hour having arrived for the consideration of the special order, to wit: Bill for the relief of the holders of State bonds issued since May 20, 1861, under the act ratified Feb. 16, 1861, entitled "An Act to secure the completion of the Wilmington, Charlotte & Rutherford Rail Road Company, and amend its charter," the same was taken up.

Mr. Faircloth, of Wayne, moved to amend by striking out

the words "and others," in the 4th line of the preamble; also by substituting the words "said Company" for "the holders" in 7th line; also in 9th line strike out "holders" and insert "Company;" also in section 1, line 6, strike out the word "such," and in 7th line the word "holders" and insert said "Company:" and further to amend by adding as follows:

"*Sec.* 6. The benefit of this act shall extend to such of the aforesaid bonds only as were owned and held by said Company on the 1st of December, 1865."

Pending discussion upon which, a message was received from the Senate, proposing to vote forthwith for six Councillors of State;

Which was concurred in, Messrs. McAden and Hutchison appointed to superintend the election, and the House voted as follows,—the names of Messrs. Yellowley, McLean and Davidson having been previously withdrawn from nomination:

For Mr. Lemley—Messrs. Speaker, Allison, Arrington, Ashworth, Barnett, Baxter, Black, Blackmer, Blair, Blythe, Bonner, Burton, Caldwell, Cox, Craig, Dalby, Dargan, Davis, of Carteret, Davis, of Halifax, Dickey, Dunn, Faircloth, of Wayne, Farrow, Faison, Flythe, Furr, Hamilton, Harper, Harrison, Hodnett, Holderby, Hoke, Holmes, Houston, Hyman, Jenkins, of Gaston, Jenkins, of Granville, Jenkins, of Warren, Jones, Joyner, Judkins, Kenan, Kinney, Lee, of Gates, Leigh, of Tyrrell, Logan, Luke, Lyon, Marler, Matthews, McAden, McDonald, McGuire, McIntosh, McNair, Melson, Moore, of Alamance, Moore, of Chatham, Moore, of Martin, Murphy, Murrill, Niven, Nicks, Newsum, Page, Palmer, Paschall, Potter, Rosebro', Russell, Sharpe, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Smith, of Hertford, Scoggin, Teague, Thigpen, Trull, Waugh, Webb, Wheeler, Whitley and York—85.

For Mr. Russell—Messrs. Speaker, Allison, Ashworth, Barnett, Black, Blair, Blythe, Bonner, Burton, Caldwell, Cameron, Carson, Chadwick, Cowan, Crawford, Dalby, Dargan,

Davis, of Carteret, Dickey, Dunn, Everett, Faircloth, of Wayne, Farrow, Flythe, Hamilton, Harrison, Hawes, Hodnett, Holmes, Horton, Houston, Hutchison, Jenkins, of Granville, Jenkins, of Warren, Jones, Lee, of Gates, Leigh, of Tyrrell, Lucas, Matthews, McAden, McGuire, McIntosh, Melson, Moore, of Alamance, Moore, of Chatham, Moore, of Martin, Mott, Murphy, Murrill, Newsum, Page, Paschall, Rosebro', Russell, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Scoggin, Teague, Waugh, Webb, Wheeler, Whitley, Williams and Wilson—66.

For Mr. J. J. Yeates—Messrs. Speaker, Allison, Barnett, Blackmer, Bryson, Burton, Cameron, Candler, Carson, Cowan, Crawford, Davis, of Carteret, Davis, of Halifax, Dickey, Dunn, Everett, Faircloth, of Wayne, Farrow, Flythe, Gidney, Harper, Hawes, Henrahan, Holderby, Hoke, Holmes, Horton, Hutchison, Jenkins, of Gaston, Jenkins, of Granville, Jones, Joyner, Lee, of Gates, Leigh, of Tyrrell, Lucas, Marler, McAden, McDonald, McGuire, Melson, Moore, of Alamance, Moore, of Martin, Murrell, Niven, Nicks, Newsum, Page, Paschall, Potter, Rosebro', Sharpe, Simmons, Smith, of Columbus, Smith, of Hertford, Waugh, Webb, Williams, Wilson and York—59.

For Mr. Lenoir—Messrs. Barnett, Beasley, Bryson, Caldwell, Candler, Carson, Coates, Cowan, Craig, Crawford, Dargan, Davis, of Carteret, Davis, of Halifax, Dunn, Flythe, Gaines, Garland, Harper, Harrison, Hawes, Horton, Houston, Hutchison, Hyman, Jenkins, of Warren, Joyner, Judkins, Luke, Marler, McAden, McIntosh, McNair, Melson, Moore, of Alamance, Mott, Murphy, Niven, Newsum, Palmer, Rosebro', Sharpe, Shaw, Simmons, Smith, of Cumberland, Smith, of Guilford, Thigpen, Webb, Wilson and York—49.

For Mr. Baxter—Messrs. Arrington, Barnett, Baxter, Bonner, Bryson, Chadwick, Cowan, Cox, Craig, Dalby, Dargan, Davis, of Halifax, Everett, Faison, Garland, Gidney, Harrison, Hawes, Holderby, Hoke, Hyman, Jenkins, of Granville, Jen-

kins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Marler, McDonald, McNair, Melson, Moore, of Martin, Mott, Murphy, Shaw, Smith, of Cumberland, Thigpen, Waugh, Whitley and Williams—44.

For Mr. Wright—Messrs. Allison, Arrington, Barnett, Black, Blackmer, Bonner, Chadwick, Cowan, Cox, Crawford, Everett, Faircloth, of Wayne, Furr, Gaines, Garland, Harrison, Hawes, Hodnett, Holderby, Hoke, Hyman, Judkins, Kenan, Kinney, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Lyon, Marler, Matthews, McNair, Moore, of Martin, Murphy, Paschall, Smith, of Columbus, Smith, of Hertford, Thigpen, Trull, Whitley, Williams, and Wilson—42.

For Mr. Parrott—Messrs. Ashworth, Blair, Blythe, Bryson, Caldwell, Candler, Coates, Crawford, Dalby, Davis, of Carteret, Dunn, Everett, Faison, Hamilton, Harper, Houston, Matthews, McAden, McIntosh, Moore, of Alamance, Moore, of Chatham, Murrill, Page, Palmer, Rosebro', Russell, Sharpe, Simmons, Smith, of Columbus, Smith, of Guilford, Scoggin, Teague, Wheeler, Wilson and York—35.

For Mr. Drake—Messrs. Arrington, Baxter, Cameron, Chadwick, Cowan, Cox, Dargan, Davis, of Halifax, Everett, Farrow, Flythe, Gidney, Hawes, Hoke, Jenkins, of Warren, Joyner, Judkins, Kenan, Logan, Lucas, Luke, Lyon, McDonald, Moore, of Alamance, Moore, of Martin, Mott, Niven, Newsum, Shaw and Thigpen—30.

For Mr. Bizzell—Messrs. Arrington, Baxter, Cameron, Chadwick, Cox, Crawford, Farrow, Faison, Gidney, Harrison, Holderby, Hyman, Jenkins, of Warren, Kenan, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, McAden, Murphy, Murrill, Shaw, Smith, of Cumberland, Thigpen, Trull, Whitley, Williams and Wilson—29.

For Mr. Patterson—Messrs. Beasley, Burton, Candler, Craig, Furr, Garland, Harper, Holmes, Horton, Hutchison, Jenkins, of Gaston, Jones, Kinney, McIntosh, Mott, Murrill,

Nicks, Palmer, Potter, Sharpe, Teague, Webb, Wheeler and Whitley—24.

For Mr. Cowles—Messrs. Ashworth, Blair, Bonner, Burton, Cameron, Carson, Coates, Davis, of Halifax, Faircloth of Wayne, Garland, Hamilton, Harper, Holmes, Horton, Houston, Joyner, Matthews, Nicks, Page, Potter, Russell, Stilley and Waugh—23.

For Mr. Murphy—Messrs. Speaker, Allison, Blackmer, Caldwell, Candler, Dalby, Foster, Gaines, Holmes, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, McIntosh, Mott, Page, Paschall, Potter, Smith, of Guilford and Teague—21.

For Mr. Dick—Messrs. Ashworth, Beasley, Blackmer, Blair, Blythe, Candler, Coates, Hamilton, Hodnett, Jenkins, of Gaston, Jenkins, of Granville, Melson, Moore, of Chatham, Paschall, Russell and Scoggin—16.

For Mr. Leach—Messrs. Baxter, Blythe, Bryson, Carson, Dickey, Flythe, Horton, McDonald, Moore, of Chatham, Newsum, Scoggin, Wheeler and York—13.

For Mr .W. J. Yates—Messrs. Speaker, Black, Blackmer, Furr, Gaines, Gidney, Hodnett, Hoke, Hutchison, Jenkins, of Gaston, Kinney, Lyon and Shaw—13.

For Mr. Hale—Messrs. Baxter, Bonner, Bryson, Cox, Houston, Hyman, Luke, McNair, Niven, Smith, of Cumberland, Smith, of Hertford and Williams—12.

For Mr. Caldwell—Messrs. Burton, Caldwell, Dickey, Holderby, Jones, McGuire, Nicks, Potter, Smith, of Cumberland, Teague, Waugh and Wheeler—12.

For Mr. Carter—Messrs. Ashworth, Beasley, Blair, Coates, Craig, Dunn, Faircloth, of Wayne, Hamilton, Palmer and Stilley—10.

For Mr. Miller—Messrs. Arrington, Black, Chadwick, Faison, Gidney, Logan, Lyon and Matthews—8.

For Mr. Hargrove—Messrs. Cameron, Dargan, Farrow, Gaines, Marler, Niven and Trull—7.

For Mr. Allison—Messrs. Davis, of Carteret, McGuire, Rosebro', Sharpe, Simmons and Webb—6.

For Mr. Winston—Messrs. Craig, Garland, Palmer and Smith, of Columbus—4.

For Mr. Harris—Messrs. Blythe, Dickey, McDonald and Scoggin—4.

For Mr. Davis—Messrs. Gaines, Kinney and Lyon—3.

For Mr. Eldridge—Messrs. Beasley and Coates—2.

For Mr. Dockery—Mr. Beasley—1.

Messrs. Judkins and Kenan voted for Mr. Dixon.

Mr. Hodnett voted for Mr. Roan.

The question recurring upon the amendments of Mr. Faircloth, they were severally adopted.

Mr. Craig, of McDowell, offered the following amendment, viz:

Be it further enacted, That the Public Treasurer be, and he is hereby, authorized to issue to the Western North-Carolina Railroad Company one million of dollars, under the same rules and regulations as provided in this bill.

Which did not prevail.

Mr. Smith, of Hertford, offered the following amendment: Strike out all after the word "prescribe," in line 11, sec. 1, and insert "*Provided*, That the Public Treasurer shall apply the coupons due on bonds of the said Wilmington, Charlotte, and Rutherford Railroad Company, held by the State, in payment of coupons due on such bonds of the State as may be surrendered, for exchange, under the provisions of this act." Which was adopted.

The bill then passed its second reading—yeas 54, nays 54,—the Speaker voting in the affirmative.

Yeas and nays demanded by Mr. Henry.

Those who voted in the affirmative, were:

Messrs. Allison, Barnett, Baxter, Black, Blackmer, Bonner, Burton, Cameron, Chadwick, Cowan, Cox, Dargan, Davis, of Halifax, Dunn, Faircloth, of Wayne, Faison, Flythe, Garland,

Gidney, Hamilton, Harper, Hawes, Holderby, Hoke, Holmes, Hutchison, Hyman, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Marler, McEachern, McNair, Moore, of Martin, Murphy, Niven, Newsum, Page, Russell, Smith, of Columbus, Smith, of Cumberland, Smith, of Hertford, Scoggin, Thigpen, Trull, Whitley, Williams and Wilson.

Those who voted in the negative, were:

Messrs. Arrington, Ashworth, Beasley, Blair, Bryson, Burgess, Caldwell, Candler, Carson, Coates, Craig, Crawford, Dalby, Davis, of Carteret, Dickey, Everett, Farrow, Furr, Gaines, Harrison, Henry, Hodnett, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Lyon, Matthews, McAden, McDonald, McGuire, McIntosh, Melson, Moore, of Alamance, Moore, of Chatham, Mott, Murrill, Nieks, Palmer, Paschall, Potter, Rosebro', Sharpe, Shaw, Simmons, Smith, of Guilford, Stilley, Teague, Waugh, Webb, Wheeler and York.

Mr. Hutchison, from the committee appointed to superintend the election for six Counsellors of State, reported that the whole number of votes cast was 148,—necessary to a choice 75; that Mr. Lemley had received 116, Mr. Russell 88, Mr. Yeates 77, Mr. Lenoir 59, Mr. Parrott 53, Mr. Baxter 58, Mr. Wright 57, Mr. Drake 37, Mr. Patterson 44, Mr. Cowles 39, Mr. Murphy 26, Mr. Bizzell 41, Mr. Leach 15, Mr. Carter 17, Mr. Miller 10, Mr. Hargrove 11, Mr. Allison 6, Mr. Harriss 4, Mr. Eldridge 2, Mr. Caldwell 14, Mr. Dockery 2, Mr. Dick 20, Mr. Winston 6, Mr. W. J. Yates 21, Mr. Hale 22, Mr. Davis 3, and Mr. Davidson 4; and that Messrs. Lemley, Russell and J. J. Yeates, having each received a majority, were duly elected. Report concurred in.

Mr. Waugh, from the Joint Select Committee appointed to wait on Jonathan Worth, the Governor elect, reported that that gentleman, if it were the pleasure of the two Houses, would meet them in the Commons Hall, at 12 o'clock, M., on Friday next, for the purpose of taking the oaths of office, and

that arrangments be made for the purpose of carrying into execution the wishes of the two Houses.

On motion of Mr. Moore, of Alamance, the House adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY, DECEMBER 13, 1865.

Prayer by Rev. Dr. Smedes.

Mr. McAden, from the Committee on the Judiciary, reported back the "Bill for the relief of the citizens of Alexander County, who may be injured by the destruction of its public records," recommending its passage.

Mr. Jenkins, of Warren, from the Joint Select Committee on Railroads, to whom was referred a resolution of enquiry in regard to certain contracts with Railroads, reported the following resolution for the action of the House:

Resolved, That, in the event of any contract having been entered into by any Railroad Company in this State with any person or company, whereby preferences or exclusive rights of transportation, either in priority or arrangement, is given to such person or company, the Attorney General of the State is hereby instructed to institute proceedings immediately against such Railroad Company for a forfeiture of its charter.

Which was adopted, and the concurrence of the Senate asked therein.

Received a message from the Senate, proposing to vote forthwith for three Councillors of State; which was concurred in, and the House voted as follows, under the superintendence of Messrs. McAden and Hutchison,—the names of Messrs. Leach, Miller, Eldridge, Dockery, Hale, Hargrove and Harriss having been previously withdrawn from nomination:

FOR MR. LENOIR—Messrs. Speaker, Ashworth, Beasley, Blair, Blythe, Bonner, Bryson, Burgess, Candler, Carson, Coates, Cox, Craig, Crawford, Dalby, Dargan, Davis, of Carteret, Dunn,

Faircloth, of Wayne, Flythe, Furr, Garland, Gidney, Hamilton, Harper, Harrison, Hawes, Henry, Hodnett, Hoke, Horton, Hyman, Jenkins, of Warren, Logan, Lucas, Luke, Marler, McAden, McDonald, McGuire, McIntosh, McNair, Melson, Moore, of Alamance, Mott, Murphy, Niven, Newsum, Page, Palmer, Rosebro', Sharpe, Shaw, Simmons, Smith, of Columbus, Smith, of Cumberland, Stilley, Scoggin, Thigpen, Trull, Webb, Whitley, Williams, Wilson and York—65.

For Mr. Baxter—Messrs. Arrington, Baxter, Blythe, Bryson, Burgess, Caldwell, Cameron, Chadwick, Cox, Crawford, Dalby, Dargan, Davis, of Carteret, Davis, of Halifax, Dickey, Everett, Farrow, Faison, Flythe, Foster, Gidney, Hawes, Hoke, Houston, Hutchison, Hyman, Jenkins, of Granville, Joyner, Judkins, Kenan, Lee, of Gates, Logan, Lucas, Luke, Manly, Marler, McAden, McDonald, McNair, Moore, of Martin, Mott, Niven, Newsum, Palmer, Paschall, Shaw, Smith, of Columbus, Smith, of Cumberland, Smith, of Hertford, Thigpen, Trull and Webb—52.

For Mr. Wright—Messrs. Speaker, Allison, Baxter, Black, Blackmer, Burgess, Caldwell, Candler, Carson, Cowan, Cox, Craig, Dargan, Davis, of Halifax, Everett, Faircloth, of Wayne, Foster, Garland, Harrison, Hawes, Hodnett, Holderby, Holmes, Houston, Hyman, Jenkins, of Warren, Joyner, Judkins, Kenan, Lucas, Luke, Lyon, Manly, McAden, McNair, Murphy, Murrill, Niven, Palmer, Smith, of Guilford, Smith, of Hertford, Stilley, Teague, Thigpen, Trull, Whitley, Williams and Wilson—48.

For Mr. Parrott—Messrs. Ashworth, Beasley, Blair, Blythe, Bonner, Candler, Coates, Dalby, Davis, of Carteret, Dickey, Dunn, Everett, Ferrell, Furr, Hamilton, Harper, Henry, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, McIntosh, Moore, of Alamance, Murphy, Page, Rosebro', Russell, Sharpe, Simmons, Smith, of Columbus, Smith, of Guilford, Scoggin, Teague, Waugh, Webb, Wilson and York—37.

For Mr. Cowles—Messrs. Ashworth, Baxter, Black, Blair,

Blythe, Bryson, Burton, Carson, Craig, Dunn, Ferrell, Garland, Hamilton, Horton, McDonald, Nicks, Page, Paschall, Potter, Rosebro', Russell, Simmons, Stilley, Scoggin, Waugh and York—26.

For Mr. Caldwell—Messrs. Speaker, Arrington, Burton, Caldwell, Cameron, Dickey, Farrow, Faison, Flythe, Holderby, Houston, Jones, Lee, of Gates, Moore, of Alamance, Moore, of Chatham, Murrill, Nicks, Newsum, Paschall, Potter, Russell, Smith, of Guilford, Smith, of Hertford, Teague and Waugh—25.

For Mr. Bizzell—Messrs. Cameron, Chadwick, Cowan, Crawford, Faircloth, of Wayne, Farrow, Faison, Foster, Gaines, Holderby, Hutchison, Judkins, Kenan, Lee, of Gates, Logan, Manly, Marler, Moore, of Martin, Murphy, Shaw, Smith, of Cumberland, Whitley and Williams—23.

For Mr. Murphy—Messrs. Allison, Blackmer, Ferrell, Furr, Gaines, Harper, Holmes, Jenkins, of Gaston, Jenkins, of Granville, Kinney, Lyon, McGuire, McIntosh and Mott—14.

For Mr. Yates—Messrs. Allison, Black, Blackmer, Gaines, Holmes, Hutchison, Jenkins, of Gaston, Kinney and Lyon—9.

For Mr. Dick—Messrs. Beasley, Henry, Jenkins, of Granville, Melson, Moore, of Chatham, Nicks and Potter—7.

For Mr. Drake—Messrs. Arrington, Chadwick, Cowan, Davis, of Halifax, Gidney, Joyner and Moore, of Martin—7.

For Mr. Patterson—Messrs. Burton, Harrison, Hodnett and McGuire—4.

Mr. Holderby introduced the following resolution:

Resolved, (the Senate concurring,) That the Provisional Governor be, and he is hereby, respectively requested to convene the Convention on the first Monday in February ensuing:

Which did not prevail.

Mr. Bryson offered a resolution of enquiry concerning the right of Redemption, which was referred to the Committee on the Judiciary.

Received a message from the Senate, asking the concurrence of the House in a resolution authorizing the Joint Select Com-

mittee on Railroads to send for persons and papers and to administer oaths. Agreed to.

Also, a message transmitting the report of the Joint Select Committee appointed to confer with the Commission charged with the duty of preparing a code of laws for the government of freedmen, recommending a postponement of further action in the premises until the adjourned session; which report was concurred in.

Also, transmitting the following engrossed bills, and asking the concurrence of the House therein, viz:

Bill to amend sec. 3, ch. 16, Revised Code; which was read first time, and, under a suspension of the rules, read second and third times, and passed, and ordered to be enrolled.

Bill concerning the holding of the Courts in Washington County. Read 1st., 2d and 3d times, under a suspension of the rules, and ordered to be enrolled.

Bill to amend the act to incorporate the Little River Turnpike Company; which was read the first time and passed.

Received a message from the Senate, concurring in the proposition to receive the Governor elect and have the oaths of office administered to him on Friday next, 12 o'clock.

Mr. Caldwell introduced a bill to authorize the establishment of Courts of Arbitration in each county by the Courts of Pleas and Quarter Sessions; which was referred to the Committee on the Judiciary and ordered to be printed.

Mr. Waugh, from the committee appointed to make arrangements for the adminstration of the oaths of office to the Governor elect, submitted the following report:

"That the Speakers of the two Houses will occupy the place at the table in the Commons Hall, and that the Governor elect, and Hon. D. G. Fowle, one of the Judges of the Superior Court, will occupy places at the Clerks' desk—the Governor on the right,—and the Committee of Arrangements immediately in front of the Clerks' table.

The members of the Senate will occupy the front seats, on

the right of the Speaker's chair; the residue of the seats on the right, and those on the left, of the Speakers' chair, will be occupied by the members of the House.

After the Governor elect shall have taken and subscribed the oaths of office, and delivered his address in presence of both branches of the Assembly, the Speaker of the Senate will announce that the Senators will retire to their chamber, and, thereupon, the Governor, Judge and Committee will first retire, and the Speaker of the Senate will retire at the head of the members of the Senate."

Which report was concurred in.

Mr. Webb introduced a bill to incorporate Enoe Lodge, Free and Accepted Masons; which passed its first, and, under a suspension of the rules, its second and third readings, and was ordered to be engrossed.

Mr. Smith, of Hertford, offered the following resolution, viz:

Resolved, (the Senate concurring,) That the unfinished business depending in the two Houses at the adjournment ordered by their joint action on Monday next, shall be continued over the recess and resumed at the next meeting of the General Assembly, in like manner as in adjournments from day to-day.

Which was adopted, and a message sent to the Senate asking concurrence.

Mr. Hutchison, from the committee appointed to superintend the election of three Councillors of State, reported that the whole number of votes cast was 152,—necessary to a choice 77; that Mr. Lenoir had received 82, Mr. Wright 69, Mr. Parrott 51, Mr. Baxter 67, Mr. Cowles 46, Mr. Bizzell 37, Mr. Murphy 16, Mr. Patterson 20, Mr. Yates 13, Mr. Dick 10, Mr. Caldwell 29, Mr. Drake 9 and Mr. Hale 5; and that Mr. Lenoir, having received a majority, was duly elected. Concurred in.

Mr. Smith, of Cumberland, by leave, introduced a bill to legalize and confirm certain proceedings of the County Courts

of Cumberland county, which was referred to the Committee on the Judiciary.

Mr. Lucas, by leave, introduced a resolution of enquiry as to the expediency of selling State property acquired since May 20, 1865. Referred to Committee on Finance.

On motion of Mr. Jenkins, of Warren, a message was sent to the Senate, proposing to vote at once for the two remaining Councillors of State, and stating that the names of Messrs. Patterson and Caldwell were withdrawn from nomination.

The Senate concurring, the House proceeded to vote as follows, under the superintendence of Messrs. Hutchison and McAden:

For Mr. Wright—Messrs. Speaker, Allison, Arrington, Baxter, Beasley, Black, Blackmer, Bonner, Burgess, Burton, Caldwell, Cameron, Chadwick, Cowan, Cox, Crawford, Dargan, Davis, of Carteret, Davis, of Halifax, Everett, Faircloth, of Wayne, Farrow, Flythe, Foster, Garland, Gidney, Hawes, Hodnett, Holderby, Hoke, Holmes, Houston, Hyman, Jenkins, of Gaston, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Logan, Lucas, Luke, Lyon, Manly, Marler, McAden, McEachen, McNair, Melson, Moore, of Martin, Murphy, Niven, Palmer, Smith, of Cumberland, Smith, of Guilford, Stilley, Thigpen, Trull, Webb, Whitley, Williams and Wilson—62.

For Mr. Baxter—Messrs. Arrington, Baxter, Beasley, Black, Bonner, Bryson, Burgess, Burton, Cameron, Chadwick, Cowan, Cox, Dalby, Dargan, Davis, of Halifax, Everett, Faircloth, of Wayne, Farrow, Faison, Flythe, Foster, Gidney, Hawes, Hoke, Hutchison, Jenkins, of Granville, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Logan, Lucas, Luke, Lyon, Manly, Marler, Matthews, McAden, McEachern, McNair, Melson, Moore, of Martin, Niven, Newsum, Page, Palmer, Paschall, Shaw, Smith, of Cumberland, Thigpen, Trull, Webb, Wheeler, Whitley and Wilson—56.

For Mr. Cowles—Messrs. Speaker, Ashworth, Blackmer, Blair, Blythe, Bryson, Burton, Candler, Carson, Craige, Craw-

ford, Dalby, Dickey, Dunn, Faircloth, of Wayne, Ferrell, Furr, Gaines, Garland, Hamilton, Harper, Henry, Hodnett, Holderby, Horton, Houston, Jenkins, of Granville, Jones, Kinney, McDonald, McGuire, McIntosh, Moore, of Alamance, Moore, of Chatham, Murrill, Nicks, Newsum, Page, Paschall, Potter, Rosebro, Russell, Sharpe, Simmons, Smith, of Columbus, Stilley, Scoggin, Teague, Waugh, Wheeler, Wilson and York—52.

For Mr. Parrott—Messrs. Ashworth, Blair, Candler, Carson, Coates, Craige, Davis, of Carteret, Dickey, Dunn, Ferrell, Harper, Henry, Horton, Kinney, McEachern, McGuire, McIntosh, Moore, of Alamance, Murrill, Nicks, Newsum, Page, Potter, Rosebro, Russell, Simmons, Smith, of Guilford, Teague, Waugh and York—30.

For Mr. W. J. Yates—Messrs. Allison, Blythe, Furr, Gaines, Hamilton, Holmes, Hutchison, Jenkins, of Gaston, Lyon, Moore, of Chatham, Shaw and Scoggin—12.

For Mr. Bizzell—Messrs. Faison, Murphy and Williams—3.

For Mr. Duke—Mr. Coates.

For Mr. Murphy—Mr. Jones.

The bill extending the time for registration of deeds and grants passed its second, and, the rules being suspended, its third, reading, and was ordered to be engrossed.

The Senate bill to repeal the Act establishing the office of Auditor, and for other purposes, coming upon its second reading,

Mr. Caldwell moved its reference to the Committees on Salaries and Fees; which was not ordered.

Mr. Dalby moved to amend by striking out the section, (4,) allowing Clerks to the Comptroller with certain salaries; which amendment was adopted.

Mr. Dalby moved further to amend by inserting "fifteen hundred dollars" as the salary of the Comptroller in lieu of "two thousand dollars;" which amendment prevailed, yeas 55, nays 50,—the yeas and nays being demanded by Mr. Dalby.

Those who voted in the affirmative were:

Messrs. Allison, Ashworth, Blair, Blythe, Bryson, Burgess, Burton, Candler, Carson, Craige, Crawford, Dalby, Davis, of Carteret, Davis, of Halifax, Dickey, Everett, Furr, Gaines, Garland, Gidney, Hamilton, Harrison, Hodnett, Holderby, Holmes, Horton, Houston, Jenkins, of Warren, Jones, Judkins, Kinney, Logan, Lyon, McAden, McDonald, McEachern, McGuire, McIntosh, Melson, Moore, of Alamance, Moore, of Chatham, Nicks, Page, Palmer, Paschall, Potter, Rosebro, Smith, of Guilford, Scoggin, Teague, Trull, Waugh, Wheeler, Wilson and York.

Those who voted in the negative were:

Messrs. Arrington, Baxter, Beasley, Black, Blackmer, Bonner, Caldwell, Cameron, Chadwick, Coates, Cowan, Dargan, Dunn, Faircloth, of Wayne, Faison, Ferrell, Flythe, Foster, Harper, Hawes, Henry, Hoke, Hutchison, Hyman, Jenkins, of Gaston, Jenkins, of Granville, Joyner, Kenan, Lee, of Gates, Lucas, Luke, Manly, Marler, McNair, Moore, of Martin, Mott, Murphy, Murrill, Niven, Newsum, Russell, Shaw, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith, of Hertford, Thigpen, Webb, Whitley and Williams.

The bill then passed its second reading, as amended, and was sent to the Senate for its concurrence in the amendments.

Mr. Hutchison, from the committee appointed to superintend the election of two Councillors of State, reported that the whole number of votes cast was 150,—necessary to a choice 76; that Mr. Wright had received 84, Mr. Cowles 78, Mr. Baxter 70, Mr. Parrott 49, Mr. Yates 14, Mr. Bizzell 5, Mr. Hale 3, and Mr. Patterson 1; and that Messrs. Wright and Cowles, having each received a majority, were duly elected. Report concurred in.

The bill providing for the recall of certain bonds issued to the Wilmington, Charlotte & Rutherford Railroad Company, and the issue of others in their stead, coming up on its third reading,

Mr. Luke moved to amend, by inserting in the body of the

bill, after the word "bonds," the words "not to exceed $455,000 in amount."

Mr. Blair moved to lay the amendment on the table; which motion was rejected, yeas 34, nays 67,—the yeas and nays being demanded by Mr. Blair.

Those who voted in the affirmative were:

Messrs. Ashworth, Beasley, Blair, Bonner, Burgess, Caldwell, Coates, Craig, Dalby, Farrow, Ferrell, Gaines, Harrison, Henry, Hodnett, Horton, Jenkins, of Granville, Jones, Kinney, Lyon, McAden, McGuire, Moore, of Alamance, Moore, of Chatham, Nicks, Paschall, Potter, Rosebro', Smith, of Guilford, Stilley, Teague, Waugh, Webb and York.

Those who voted in the negative were:

Messrs. Allison, Baxter, Black, Blackmer, Blythe, Burton, Cameron, Candler, Carson, Chadwick, Cowan, Cox, Crawford, Dargan, Davis, of Carteret, Dickey, Dunn, Faircloth, of Wayne, Faison, Flythe, Foster, Furr, Garland, Gidney, Hamilton, Harper, Hawes, Holderby, Hoke, Holmes, Houston, Hutchison, Hyman, Jenkins, of Gaston, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Logan, Lucas, Luke, Manly, Marler, McEachern, McIntosh, McNair, Melson, Moore, of Martin, Murphy, Murrill, Niven, Newsum, Page, Palmer, Russell, Shaw, Simmons, Smith, of Columbus, Smith of Cumberland, Smith, of Hertford, Scoggin, Thigpen, Trull, Whitley, Williams and Wilson.

Mr. Henry moved that the House do now adjourn; which motion was lost.

Mr. Lyon moved to postpone further consideration until the second Monday in February next. Lost.

The amendment was then adopted, and the bill, as amended, passed its third reading and was ordered to be engrossed,—yeas 62, nays 41.

Mr. Dickey demanded the yeas and nays.

Those who voted in the affirmative, were:

Messrs. Allison, Baxter, Blackmer, Blythe, Burton, Came-

ron, Candler, Chadwick, Cowan, Cox, Crawford, Dargan, Dickey, Dunn, Faircloth, of Wayne, Faison, Flythe, Foster, Furr, Garland, Gidney, Hamilton, Harper, Hawes, Holderby, Hoke, Holmes, Hutchison, Hyman, Jenkins, of Gaston, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Logan, Lucas, Luke, Manly, Marler, McEachern, McIntosh, McNair, Melson, Moore, of Martin, Murphy, Murrill, Niven, Newsum, Page, Palmer, Russell, Shaw, Smith, of Columbus, Smith, of Cumberland, Smith, of Hertford, Scoggin, Thigpen, Trull, Whitley, Williams and Wilson.

Those who voted in the negative, were:

Messrs. Arrington, Ashworth, Beasley, Blair, Bonner, Bryson, Burgess, Caldwell, Carson, Coates, Dalby, Davis, of Carteret, Everett, Farrow, Ferrell, Gaines, Harrison, Henry, Hodnett, Horton, Houston, Jenkins, of Granville, Jones, Kinney, Lyon, McAden, McDonald, McGuire, Moore, of Alamance, Moore, of Chatham, Nicks, Paschall, Potter, Rosebro', Simmons, Smith, of Guilford, Stilley, Teague, Waugh, Webb and York.

Received a message from the Senate, concurring in the resolution relative to unfinished business depending at the time of adjournment.

Also, concurring in first amendment of the House to the bill "to repeal an act to establish the office of Auditor of Public Accounts, and for other purposes," striking out $2,000 and inserting "$1,500," but refusing to concur in the second.

The question being "shall the House recede from its amendment?" it was decided in the negative;

Whereupon, on motion of Mr. Murphy, the Speaker was directed to appoint a committee, on the part of the House, to confer with a similar committee, on the part of the Senate, with reference to the subject of disagreement.

And then, on motion of Mr. Simmons, the House adjourned until to-morrow morning, 10 o'clock.

THURSDAY, DECEMBER 14, 1865.

Prayer by Rev. Mr. Hardie.

Mr. Waugh, from the Committee on Propositions and Grievances, reported back the bill in favor of Jesse B. Lee, late Sheriff of Currituck, recommending its reference to the Committee on the Judiciary; which was so ordered.

Mr. Manly, from the Committee on the Judiciary, to whom they were severally referred, reported back the following bills and resolutions, to wit:

Bill to empower A. C. Latham, Sheriff of Craven county, to collect arrears of taxes; recommending its passage, with certain amendments;

Bill for the relief of poor debtors; recommending that it do not pass;

Bill concerning judgments; recommending that it do not pass;

Bill giving the election of Clerk and Master in Equity to the qualified voters of Henderson county; recommending that it do not pass;

Resolution of enquiry respecting the expediency of establishing "Boards of Conciliation;" asking its reference to the committee on "Scale of depreciation,"—which was so ordered;

Bill to stay Executions, and for other purposes; recommending its reference to the special committee charged with the consideration of the Stay Law,—which was so ordered;

Resolution in regard to the depreciation of the currency, (Mr. Gidney,) recommending its reference to the committee on scale of depreciation; which was ordered accordingly. And,

Bill to repeal Sec. 12, Chapter 10, Acts of 1861, 2nd Extra Session; recommending its passage.

Mr. Hoke, from the committee on Internal Improvements, reported favorably on the bill to amend the Act to incorporate the Tuckaseegee and Keowee Turnpike Company.

Mr. Blackmer, from the committee on the Lunatic Asylum,

submitted a report relative to the management of that institution, accompanied by the following resolution, viz:

Resolved, That the sum of forty-four thousand, four hundred and seventeen dollars ($44,417) be appropriated for the use and support of the Insane Asylum, and that the Treasurer be directed to pay over this sum out of any monies in his hands not otherwise appropriated.

Which was read and passed its first reading.

Mr. Murrill, from the committee on Propositions and Grievances, reported favorably upon the bill concerning establishment of county site of Mitchell county.

Under a suspension of the rules, the bill was put upon its second reading, when

Mr. Marler moved to lay upon the table; which was not agreed to.

The bill then passed its second and third readings, and was ordered to be engrossed.

Mr. Smith, of Hertford, from the committee on Finance, presented the report of the commissioners of the Sinking Fund; which, on his motion, was sent to the Senate, with a proposition to print and refer to a joint select committee, to consist of three members on the part of the House and two on the part of the Senate.

Mr. Cameron, from the committee on the Library, reported back the bill to consolidate the offices of Public Librarian and Keeper of the Capitol, with the recommendation that it do not pass.

The bill was thereupon, on motion, put upon its third reading and rejected.

Received a message from the Senate, transmitting the following engrossed bills and asking the concurrence of the House therein, viz:

Bill to modify an Ordinance of the State Convention, to organize a temporary force for the preservation of law and or-

der. Under suspension of the rules, passed its second and third readings, and ordered to be engrossed.

Bill to carry into effect an ordinance entitled an ordinance for the election of clerks and sheriffs. Referred to Committee on Judiciary.

Bill to extend time of registering deeds and other conveyances. The rules having been suspended, and the bill put upon its 2d reading,

Mr. Hoke moved to amend by inserting "three years" in lieu of "two years;" which was adopted.

The bill, as amended, then passed its 2d and 3d readings, and was sent to the Senate for concurrence in the amendment.

Mr. Moore, of Alamance, offered the following resolution, which was adopted:

Resolved, That the Committee on Arrangements for administering the oaths of office to Jonathan Worth, Esq., Governor elect, be also instructed to invite His Excellency, the Provisional Governor, to be present, and that they assign him an appropriate seat.

The hour having arrived for the consideration of the special order, viz: The resolutions of Mr. Moore, of Martin, relative to the suspension of military law, the same were, on his motion, laid upon the table.

Mr. Ashworth introduced the following resolution, which was adopted:

Resolved, That the Committee on Salaries and Fees be instructed to enquire, and report by bill or otherwise, as to the propriety of increasing the per diem and mileage of jurors and witnesses, who are compelled to attend the courts of the different counties, so that the pay they receive will at least pay their board.

The following bills were introduced, viz:

By Mr. Smith, of Cumberland: Bill (accompanied by memorial,) to authorize Mayor and Commissioners of Fayette-

ville to issue certificates of indebtedness and appoint assessors of taxables. Committee on Propositions and Grievances.

By Mr. Marler: Bill to incorporate Catawba Valley Lodge, No. 217, Free and Accepted Masons. Passed first, and, the rules being suspended, second and third readings, and ordered to be engrossed.

By Mr. Coates: Bill to punish breaking into a house in the day time. Judiciary.

The following bills, coming up on their 2d reading, were disposed of as follows:

Senate bill to amend an act incorporating the Little River Turnpike Company. Passed second reading, and, under a suspension of the rules, its third reading, and ordered to be enrolled.

Bill for the relief of the citizens of Alexander county, who may be injured by the destruction of its public records. Amended, by adding ratifying clause, and passed its several readings and ordered to be engrossed.

Bill giving election of Clerk and Master in Equity to qualified voters of Henderson county. Rejected.

Bill concerning judgments. Rejected.

Received a message from the Senate, concurring in the House amendment to the Senate bill "to extend the time of registering deeds and other conveyances." So the bill was ordered to enrolment.

Also, informing the House that it had passed, with certain specified amendments, the House "Bill to qualify the Superior Court Clerks lately elected." The amendment was concurred in by the House, and the Senate informed thereof by message.

Also, agreeing to the proposition to raise a Committee of Conference relative to the amendments made by the House, and disagreed to by the Senate, to the bill "to repeal the act establishing the office of Auditor, &c.," and naming Mes[illegible].

Faison, Garner and Gorrell as the committee on the part of the Senate.

Whereupon, the Speaker announced Messrs. Dalby, Hoke and Holderby as the committee on the part of the House.

Also, a message concurring in the arrangement made for the administration of the oaths of office to the Governor elect.

Also, concurring in the proposition to print the Report of the Commissioners of the Sinking Fund, and refer it to a Joint Select Committee of five, and naming Messrs. Bynum and Wilson as the Senate branch of the committee.

Whereupon, the Speaker announced Messrs. Smith, of Hertford, Burton and Harper as the committee on the part of the House.

The following bill and resolution were introduced by leave:

By Mr. Webb: Resolution in favor of Rev. M. A. Curtis; which was adopted, and sent to the Senate for concurrence.

By Mr. Blair: Bill to legalize certain proceedings of the Provisional Justices of Randolph county. Under a suspension of the rules passed its several readings, and ordered to be engrossed.

Mr. Burton moved that a message be sent to the Senate, proposing to vote for Comptroller to-morrow at 11½ o'clock.

Mr. Hutchison moved to amend, by substituting "to-day at 1 o'clock;" which amendment Mr. Wheeler moved to lay on the table.

The motion to table was lost, the amendment adopted, and the message, as amended, ordered to be sent.

Received a communication from the Provisional Governor, transmitting the reports of the President and Superintendent of the Asylum for the Deaf, Dumb and Blind; which, on motion of Mr. McKay, were sent to the Senate, with a proposition to print.

Received a message from the Senate, concurring in the proposition to vote at 1 o'clock for Comptroller, and stating

that Messrs. C. H. Brogden, W. F. Collins and A. C. Cowles were in nomination.

The hour being at hand, the House voted as follows, under the superintendence of Messrs. McKay and Simmons:

For Mr. Brogden—Messrs. Allison, Baxter, Beasley, Blackmer, Blythe, Bonner, Bryson, Burgess, Candler, Chadwick, Coates, Craig, Crawford, Davis, of Carteret, Everett, Faircloth, of Wayne, Faison, Ferrell, Flythe, Garland, Hamilton, Harper, Hawes, Holmes, Jenkins, of Gaston, Kenan, Kinney, Lucas, Manly, Marler, McEachern, McGuire, Melson, Moore, of Chatham, Moore, of Martin, Murrill, Niven, Page, Palmer, Pasehall, Shaw, Simmons, Smith, of Cumberland, Smith, of Guilford, Smith, of Hertford, Stilley, Teague, Webb, Whitley, Williams and Yellowley—51.

For Mr. Cowles—Messrs. Speaker, Ashworth, Blair, Burton, Carson, Cowan, Cox, Dickey, Dunn, Faircloth, of Green, Furr, Gaines, Henry, Horton, Houston, Hutchison, Jones, McAden, McIntosh, McKay, Moore, of Alamance, Mott, Potter, Rosebro, Russell, Smith, of Columbus, Scoggin, Waugh, Wheeler, Wilson and York—31.

For Mr. Collins—Messrs. Arrington, Barnett, Black, Cameron, Dargan, Davis, of Halifax, Foster, Gidney, Harrison, Hodnett, Holderby, Hyman, Jenkins, of Warren, Joyner, Judkins, Lee, of Gates, Leigh, of Tyrrell, Logan, Luke, Matthews, McDonald, McNair, Murphy, Newsum, Thigpen and Trull—26.

Received a message from the Senate, announcing the agreement of that body to a request of the joint select committee on the Stay law to be discharged from consideration of the subject until the first Monday in February next.

Also, concurring in the proposition to print the reports of the President, &c., of the Deaf and Dumb Asylum.

Mr. McKay, from the committee, reported that the whole number of votes cast for Comptroller was 154—necessary to a choice 78; that Mr. Brogden had received 63, Mr. Cowles 52, Mr. Collins 38, and Mr. D. W. Bain 1; and that no one

having received a majority of the whole number of votes, there was no election.

Mr. Kenan moved, and it was so ordered, that a message be sent to the Senate, proposing to vote again forthwith for Comptroller.

The Senate concurring, the House voted as follows, under the superintendence of Messrs. Simmons and McKay:

For Mr. Brogden—Messrs. Barnett, Beasley, Black, Blackmer, Bonner, Bryson, Burgess, Caldwell, Cameron, Candler, Chadwick, Coates, Cox, Crawford, Davis, of Carteret, Everett, Faircloth, of Wayne, Farrow, Faison, Ferrell, Flythe, Foster, Gidney, Harper, Hawes, Hoke, Hyman, Jenkins, of Gaston, Jenkins, of Warren, Judkins, Kenan, Kinney, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Lyon, Manly, Marler, McEachern, McNair, Melson, Moore, of Martin, Murphy, Murrill, Niven, Page, Palmer, Paschall, Shaw, Simmons, Smith, of Cumberland, Smith, of Guilford, Smith, of Hertford, Stilley, Thigpen, Trull, Webb, Whitley, Williams, Wilson and Yellowley—63.

For Mr. Cowles—Messrs. Speaker, Allison, Arrington, Ashworth, Baxter, Blair, Blythe, Burton, Carson, Dickey, Dunn, Faircloth, of Greene, Furr, Gaines, Garland, Hamilton, Harrison, Henry, Hodnett, Holderby, Holmes, Horton, Houston, Hutchison, Jenkins, of Granville, Jones, Matthews, McAden, McDonald, McIntosh, McKay, Moore, of Alamance, Moore, of Chatham, Mott, Newsum, Potter, Rosebro', Smith, of Columbus, Scoggin, Teague, Waugh, Wheeler and York—43.

For Mr. Collins—Messrs. Cowan and Dargan—2 .

Mr. Simmons, from the committee appointed to superintend the foregoing election, reported that the whole number of votes cast was 153,—necessary to a choice 77; that Mr. Brogden had received 80, Mr. Cowles 66, and Mr. Collins 7; and that C. H. Brogden, having received a majority, was duly elected Comptroller of Public Accounts. Which report was concurred in.

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

FRIDAY, DECEMBER, 15, 1865.

Prayer by Rev. Mr. Branson.

Leave of absence was granted to Mr. Faircloth, of Wayne, for to-day.

Mr. Manly, from the Committee on the Judiciary, to whom were referred

Resolution of enquiry, relative to the expediency of passing a law concerning the right of Redemption; and

Similar resolution relative to the expediency of empowering the County Courts to levy taxes for County purposes,

Reported the same back to the House, asking, for reasons stated, to be discharged from their further consideration; which was ordered accordingly.

Also, favorably upon the following bills, to-wit:

Bill to prevent the discontinuance of causes in certain cases; and

Bill to regulate the terms of the Supreme Court, (with amendments,)

And unfavorably upon the Resolution in favor of the Provisional Sheriffs of the several Counties of the State.

Mr. Manly, from the same Committee, reported back the bill for the relief of citizens of Yancey County, recommending, for reasons stated, that it be laid on the table; which was so ordered.

Also, the bill to establish a ferry on the Hiwassie river, asking its further reference to the Committee on Internal Improvements; which was ordered accordingly.

Mr. Blackmer, from the Committee on Corporations, reported back the bill to amend an Act to incorporate the town of High Point, in Guilford County, with a slight verbal

amendment, and recommending that it do pass. Under a suspension of the rules, passed its 2nd and 3rd readings, and ordered to be engrossed.

Mr. Murrill, from the Committee on Propositions and Grievances, reported favorably upon the bill to authorize the Mayor and Commissioners of Fayetteville to issue certificates of indebtedness and appoint assessors of taxables.

Mr. Blackmer moved that the bill be re-committed to the Committee on Finance. Not agreed to.

Under a suspension of the rules, the bill then passed its second reading, was amended, passed its third reading and was ordered to be engrossed.

Mr. Hutchison introduced the following resolution:

Resolved, (the Senate concurring,) That so much of the joint order of this General Assembly, as fixes the time of adjournment to the 1st Monday in February next, be rescinded, and the 4th Monday in January inserted instead thereof.

Which was not adopted.

Mr. Burgess offered the following:

Resolved, That so much of the joint resolutions of the General Assembly as provides for adjournment on the 18th of December, 1865, be amended as to strike out "February" so and insert "June."

Mr. Scoggin moved to amend by substituting "4th Monday of March."

Mr. Waugh moved to lay the whole matter upon the table; which motion was adopted.

The following bill and resolution were introduced:

By Mr. Jenkins, of Warren: Bill to authorize the Raleigh and Gaston Rail Road Company to establish a ferry over the Roanoke river, at Gaston. Under suspension of the rules, passed its several readings and ordered to be engrossed.

By Mr. Holderby: Resolution of enquiry as to amount and value of Swamp Lands belonging to the Literary Fund. Referred to Committee on Swamp Lands.

Received a message from the Senate, transmitting engrossed resolutions concerning the North-Carolina Institution for the Deaf and Dumb and the Blind; which, under a suspension of the rules, were passed their several readings and ordered to enrolment.

The following bills came up upon their second reading, to wit:

Bill to amend an act entitled an act to incorporate the Tuckaseegee and Keowee Turnpike Company. Passed 2d, and, rules being suspended, 3rd reading, and ordered to be engrossed.

Bill for the relief of poor debtors. Rejected.

Resolution in favor of Lunatic Asylum, (appropriating $44,417 for next fiscal year.) Passed 2d reading, and rejected on 3d; whereupon

Mr. McKay moved a re-consideration of the vote; which was ordered, and

On motion of Mr. Smith, of Hertford, the resolution was referred to the Committee on Finance.

Bill to prevent discontinuance of causes in certain cases. Passed several readings and ordered to be engrossed.

Bill to regulate terms of the Supreme Court. Passed its several readings, as amended by the committee, and ordered to be engrossed.

Bill to repeal sec. 10, ch. 12, acts of 1861, (2d extra session.) Passed its several readings and ordered to be engrossed.

Resolution in favor of Provisional sheriffs. Rejected.

Bill for the relief of citizens of Yancey county. Laid on table, as recommended by committee.

Bill in favor of A. C. Latham, sheriff of Craven county. Passed its several readings and ordered to be engrossed.

The hour having now arrived at which, by the joint order of the two Houses, they were to proceed to witness the administration of the oaths of office to the Governor elect, a message was sent to the Senate, informing that body of the

readiness of the House of Commons to receive them for this purpose in the Hall of the House.

The Senate thereupon appeared in the Commons Hall, and were received by the members of the House standing.

The Speaker of the Senate took his seat with the Speaker of the House, at the Speaker's desk; the Senators took their seats on the right of the Speaker's chair, according to the arrangements heretofore made.

And, then, Jonathan Worth, Esq., Governor elect, attended by the Hon. D. G. Fowle, one of the Judges of the Superior Courts of Law and Equity, the Provisional Governor of the State, and the Committee of Arrangements, waited upon the Convention of the two Houses and took and subscribed the oaths of office prescribed by law for the qualification of the Governor of the State; the oaths having been administered by Hon. D. G. Fowle, Judge as aforesaid; after which the Governor elect delivered an appropriate address to the members of the Convention.

And, thereafter, he, attended as aforesaid, having retired, the Speaker of the Senate announced that the Senators would repair to their chamber, which was accordingly done.

The Committee of Conference, on the part of the House, with reference to certain disagreements with the Senate upon the bill to abolish the office of Auditor, &c., asked for further time for consultation; which was granted.

Mr. Dalby offered the following resolution, which was referred as directed, viz:

Resolved, That the Committee on Finance be instructed to report as to the propriety of authorizing the Public Treasurer to sell any or all of the stocks and interest in the corporate stock of the State, and, if sold, what privileges should be retained by the State.

Received a message from the Senate, announcing that they had amended the title of the engrossed bill from the House of Commons, entitled "A bill for the relief of the holders of State

bonds issued since May 20, 1861, &c," as follows: Strike out all after the words "A bill" and insert "authorizing and directing the renewal of certain State bonds in the hands of the Wilmington, Charlotte and Rutherford Rail Road Company." Which was concurred in.

On motion of Mr. Waugh, the House adjourned until tomorrow morning, 10 o'clock.

SATURDAY, DECEMBER 16, 1865.

Prayer by Rev. Mr. Wiley.

The Speaker announced Messrs. Blair and Wilson to fill up the Committee on Enrolled Bills.

Mr. Manly, from the Committee on the Judiciary, reported favorably upon the engrossed bill from the Senate to carry into effect an Ordinance of the Convention entitled "An Ordinance for the election of Clerks and Sheriffs."

Mr. Manly, from the same Committee, to whom was referred a resolution instructing it "to enquire whether elections made by the General Assembly since May 20, 1861, for the office of Superintendent of Common Schools and Trustees of the University are valid," submitted a report, accompanied by a bill, entitled "A bill to declare valid certain elections and acts since May 20, 1861."

Which bill, under a suspension of the rules, passed its several readings, and was ordered to be engrossed.

The following bills and resolutions were introduced, viz:

By Mr. Holderby: A bill to increase the *per diem* of Jurors and Witnesses. Referred to Committee on Salaries and Fees.

By Mr. Page: Bill to increase the tax on the manufacture of spirituous liquors from grain. Referred to Committee on Finance.

By Mr. York: Resolution directing Committee on Finance

to enquire into the expediency of repealing the tax on spirituous liquors. So referred.

By Mr. McDonald: Resolution concerning arrest of Benj. Robinson, of Cumberland. Tabled.

Received a message from the Senate, transmitting the following engrossed bills and resolutions, and asking the concurrence of the House therein, viz:

Bill to revoke certain wills. Referred to the Committee on the Judiciary.

Bill concerning advancements. Same reference.

Resolution in favor of Briggs & Dodd. Finance.

Resolution (accompanied by report of Judiciary Committee,) touching the amendment to the Constitution of the United States, and providing that

"Said amendment has been adopted and ratified in the sense given to it by the Hon. William H. Seward, Secretary of State of the United States, to-wit: That it does not enlarge the powers of the Congress to legislate on the subject of freedmen within the States."

Mr. Waugh moved to lay the resolution on the table, which motion was not adopted, yeas 27, nays 51—the yeas and nays being demanded by Mr. Jenkins, of Warren.

Those who voted in the affirmative were:

Messrs. Beasley, Bryson, Burton, Candler, Coates, Faircloth, of Green, Flythe, Garland, Harper, Hanrahan, Holderby, Horton, Moore, of Chatham, Murrill, Nicks, Newsum, Page, Palmer, Potter, Rosebro', Sharpe, Smith, of Columbus, Waugh, Webb, Wilson, Yellowley and York.

Those who voted in the negative were:

Messrs. Arrington, Ashworth, Baxter, Black, Blackmer, Blair, Bonner, Burgess, Caldwell, Cameron, Carson, Chadwick, Cowan, Craig, Crawford, Davis, of Carteret, Dunn, Everett, Foster, Furr, Gaines, Gidney, Hawes, Holmes, Houston, Jenkins, of Gaston, Jenkins, of Warren, Joyner, Judkins, Kenan, Kinney, Lee, of Gates, Leigh, of Tyrrell, Logan, Luke, Manly,

McAden, McEachern, McIntosh, McKay, McNair, Melson, Moore, of Alamance, Moore, of Martin, Murphy, Niven, Smith, of Guilford, Smith, of Hertford, Thigpen, Trull and Whitley.

Mr. McKay moved to amend, by inserting after the words "Secretary of State of the United States," the words "and in accordance with the reconstruction policy of President Johnson;" upon which motion he demanded the yeas and nays.

The amendment was rejected,—yeas 33, nays 41.

Those who voted in the affirmative were:

Messrs. Ashworth, Beasley, Black, Blackmer, Blair, Bryson, Candler, Carson, Coates, Craig, Dunn, Faircloth, of Greene, Flythe, Furr, Garland, Harper, Holmes, Horton, Jenkins, of Gaston, Kinney, McDonald, McIntosh, McKay, Murrill, Nicks, Newsum, Palmer, Rosebro', Sharpe, Smith, of Columbus, Waugh, Webb and York.

Those who voted in the negative were:

Messrs. Arrington, Baxter, Bonner, Burton, Caldwell, Cameron, Chadwick, Crawford, Davis, of Carteret, Everett, Foster, Gaines, Gidney, Hawes, Hanrahan, Holderby, Houston, Jenkins, of Granville, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Logan, Luke, Manly, Marler, McAden, McEachern, McNair, Melson, Moore, of Alamance, Moore, of Martin, Murphy, Niven, Smith, of Guilford, Smith, of Hertford, Thigpen, Trull, Whitley and Wilson.

The question then recurring on the passage of the resolution, it was adopted—yeas 54, nays 25.

Mr. Jenkins, of Warren, demanded the yeas and nays.

Those who voted in the affirmative were:

Messrs. Arrington, Baxter, Bonner, Burton, Caldwell, Cameron, Chadwick, Cowan, Cox, Craig, Crawford, Dunn, Everett, Foster, Garland, Gidney, Hawes, Hanrahan, Holderby, Hoke, Houston, Hyman, Jenkins, of Gaston, Jenkins, of Granville, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Logan, Luke, Manly, Marler, McAden, McDonald, McEachern, McIntosh, McKay, McNair, Mel-

son, Moore, of Alamance, Moore, of Martin, Murphy, Niven, Newsum, Smith, of Columbus, Smith, of Guilford, Smith, of Hertford, Thigpen, Trull, Waugh, Whitley and Yellowley.

Those who voted in the negative were:

Messrs. Ashworth, Beasley, Black, Blackmer, Blair, Bryson, Candler, Carson, Coates, Davis, of Carteret, Faircloth, of Green, Furr, Gaines, Harper, Holmes, Horton, Kinney, Murrill, Nicks, Palmer, Potter, Sharpe, Webb, Wilson and York.

Received a message from the Senate, transmitting the report of the Committee on the Deaf and Dumb Asylum, with a proposition to print the same; which proposition was concurred in.

Also, transmitting an engrossed bill for the relief of the citizens of the several counties who may suffer from the destruction of public records; which was referred to the Committee on the Judiciary.

The Senate bill "to carry into effect an Ordinance of the Convention for the election of clerks and sheriffs," passed its several readings; when

Mr. Baxter moved a reconsideration of the vote by which the foregoing bill had passed its 3d reading; which was ordered.

And after some time spent in debate thereon, the bill again passed its final reading and was ordered to be enrolled.

On motion of Mr. Waugh, the House took a recess until 3½ o'clock, P. M.

Three-and-a-half o'clock, P. M.

Received a message from the Senate, transmitting an engrossed bill, entitled a "Bill to decrease the expenses of sheriffs;" which, under a suspension of the rules, was passed its several readings and ordered to be enrolled.

On motion of Mr. Judkins, the House adjourned until Monday morning, 4 o'clock.

MONDAY, December 18, 1865.

Four o'clock, A. M.

The Speaker announced his ratification of sundry bills; when

A message was received from the Senate, proposing to carry into effect the joint order relative to adjournment; which was concurred in.

Whereupon, at 6 o'clock, the Speaker declared the House of Commons adjourned until Monday, the 5th day of February, 1866, at 10 o'clock, A. M.

S. F. PHILLIPS,
Speaker.

Seaton Gales,
Clerk.

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JOURNAL

OF

THE SENATE,

AT ITS

Special Session of 1866.

At a session of the General Assembly of North Carolina, begun and held in the City of Raleigh, on Thursday, the 18th day of January, in the year of our Lord one thousand eight hundred and sixty-six, and in the ninetieth year of the Independence of the United States of America, convened by proclamation of the Governor of the State; which proclamation is in the words following, viz:

Whereas, I, Jonathan Worth, Governor of North Carolina, with the concurrence and advice of the Council of State, do deem it absolutely necessary that the General Assembly of this State be convened before the time appointed for its meeting:

Now, therefore, I do hereby issue this, my proclamation, notifying and requesting the members of the General Assembly of North Carolina to meet in special session, at the Capitol, in the City of Raleigh, on Thursday, the 18th day of this month.

Given under my hand, and attested by the great seal of the State, at office, in Raleigh, this the 3rd day of
[L. S.] January, A. D. 1866, and in the year of our Independence the ninetieth.

By the Governor:

JONATHAN WORTH.

Wm. H. Bagley, *Private Secretary.*

And the said proclamation being read by the Clerk, the following members of the Senate answered to their names, upon the call of the roll, viz:

Messrs. Speaker, Arendell, Aycock, Black, Blount, Boner, Bullock, Bynum, Coward, Donaho, Ferebee, Garner, Gorrell, Hall, Harris, of Rutherford, Howard, Jones, of Columbus, Leach, of Davidson, McEachern, McLean, Morehead, Pitchford, Sanders, Shober, Whitford, Wiggins, Williams and Wilson—28.

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

On motion of Mr. Wiggins,

John Berry, the Senator elect from the County of Orange, being the 30th Senatorial district, in place of Wm. A. Graham, resigned, was permitted, upon the presentation of his certificate of election, to qualify according to law.

On motion of Mr. Ferebee,

A message was sent to the House of Commons, informing that body that the Senate was prepared for the dispatch of business, but the messenger returned, being unable to deliver the message, the House not being in session.

On motion of Mr. Howard,

The Senate adjourned until to-morrow at 11 o'clock.

FRIDAY, JANUARY 19TH, 1866.

A message was received from the House of Commons, informing the Senate that the House was fully organized and ready to proceed to the dispatch of public business.

On motion of Mr. Ferebee,

Ordered, That a message be sent to the House of Commons, proposing to raise a joint select committee of one on the part of the Senate, and two on the part of the House, to wait on his Excellency, the Governor, informing him of the due organi-

zation of the General Assembly, and that they are prepared to receive any communication he may have to make to them.

The House of Commons concurring, informed the Senate by message that Messrs. McKay and Jenkins of Warren, would constitute the House branch of said committee.

Mr. Ferebee was designated as the Senate branch of the committee.

Bills, &c., of the titles following, were introduced, read first time, passed their first reading, referred, or otherwise ordered, as follows, viz:

By Mr. Boner: A bill (S. P. 20,) to incorporate Salem Female Academy. Referred to Committee on Corporations.

By Mr. Bynum: A bill (S. P. 21) to continue in office the Provisional Commissioners of Lincolnton.

On motion of Mr. Bynum,

The rules were suspended and the bill placed upon its several readings.

On motion of Mr. Shober,

The provisions of the bill were extended to the town of Salisbury.

On motion of Mr. Hall,

The city of Wilmington was also included within the operation of the bill.

Similar amendments were offered by Messrs. Coward and Harris of Rutherford, to include the towns of Kinston and Rutherfordton.

On motion of Mr. Wilson,

The bill was laid on the table.

By Mr. Berry: A bill (S. 55,) making provisions for the payment of interest on State Bonds now due. Ordered to be printed and referred to the Committee on Finance.

By the same: A bill (S. 56,) directing coupons of the Bonds of the State to be received in payment of State taxes. Same order and reference.

By Mr. Jones of Columbus: Resolutions (S. R. 57,) con-

cerning the Banks of the State. Ordered to be printed and referred to the Committee on the Judiciary.

Mr. Ferebee, from the committee to wait on the Governor, reported that his Excellency would communicate with the General Assembly immediately.

A message was received from the House of Commons proposing to set apart to-morrow, at 12 o'clock, for the appointment of magistrates, which was concurred in.

S. 22, bill to prevent horse stealing, came up on its third reading and passed.

Ordered, To be engrossed.

Mr. Ferebee (by permission) introduced a bill (S. 58,) to limit the number of Justices of the Peace, which, on his motion, was laid on the table.

A message was received from the House of Commons transmitting the message of his Excellency, the Governor, with accompanying documents, with a proposition to print fifty copies of the same for each member of the General Assembly.

The message was read and the proposition to print concurred in.

Also, received a message transmitting the report of the Public Treasurer, with a proposition to print five copies thereof for each member of the Legislature, which was concurred in.

Mr. Hall introduced the following resolution:

Resolved, That so much of the tax law passed at the last session of the Convention, as refers to the collection of taxes before the passage of said ordinance, be referred to the committee on the Judiciary, with a request that they give their opinion as to the legality of said part of the ordinance of the Convention; and that they further inquire into the proposition of extending the time for collecting said taxes, and report by bills or otherwise.

Adopted.

On motion of Mr. Shober,

Leave of absence was granted to Mr. Leach of Davidson, on account of the severe illness of a member of his family.

On motion of Mr. Morehead,

The Senate adjourned until 10 o'clock to-morrow.

SATURDAY, JANUARY 20, 1865.

Prayer by Rev. H. Hardie.

Mr. Wilson, from the Committee on the Judiciary, reported back the "resolution for the relief of tax-payers under the ordinance of the Convention," and asked to be discharged from the further consideration thereof.

Discharged accordingly.

On motion of Mr. Winstead,

Ordered, That a message be sent to the House of Commons proposing to appoint a joint select committee of two on the part of the Senate and three on the part of the House, to inquire into the necessity of refitting the residence provided for the Governor of North Carolina, and that they report by bill or otherwise.

Bills of the titles following were introduced, read first time, passed their first reading, referred or otherwise ordered, as follows, viz:

By Mr. Donaho: A bill (S. P. 22,) to declare the Dan River, a water course, sufficient, instead of a lawful fence in Caswell county.

On motion of Mr. Donaho,

The rules were suspended, and the bill passed its several readings.

Ordered, To be engrossed.

From the House: Engrossed bill (H. P. 27,) to authorize holding an election for Commissioners of the town of Goldsboro' in Wayne county and for other purposes. Filed.

From the House: Engrossed resolutions (H. R. 65,) in behalf of disabled soldiers.

On motion of Mr. Howard,

The rules were suspended, and the resolutions passed their several readings.

Ordered, To be enrolled.

By Mr. Gash: A bill (S. 60,) to establish a Penitentiary and Work Houses. Ordered to be printed and referred to the committee on Propositions and Grievances.

On motion of Mr. Bynum,

A bill (S. P. 21,) to continue in office the Provisional Commissioners of Lincolnton, was taken from the table and placed upon its passage.

Amendments were offered and adopted, extending the provisions of the bill to several towns, and the bill was referred to the Committee on the Judiciary.

Received a message from the House of Commons, proposing to change the hour of appointing Justices of the Peace from 12 o'clock M., to 11 o'clock A. M.

Concurred in.

A message was received from the House of Commons, proposing to print fifty additional additional copies of the Governor's Message and accompanying documents for the Executive Office.

Concurred in.

Also, received a message, concurring in the proposition of the Senate to raise a Joint Select Committee, concerning the refitting the Executive Mansion; and that Messrs. Dargan, Baxter and Allison constitute the House branch of the Committee.

Messrs. Winstead and Whitford were designated as the Senate branch.

On motion of Mr. Howard,

A bill, (S. 44,) concerning Mortgages, Deeds of Trusts and Judgments confessed, on its second reading, was placed on its passage.

On motion of Mr. Morehead,

It was laid on the table.

The hour for the special order, viz: the appointment of Justices of the Peace, having arrived, the Clerk proceeded to call the districts.

A number of Magistrates for the counties of Forsythe, Polk, Rutherford, Transylvania and Wilson were recommended and agreed to and transmitted to the House of Commons for concurrence.

A message was received from the House of Commons, asking the concurrence of the Senate in the following resolutions, which had been passed in that House, to-wit:

Resolved, (the Senate concurring,) That so much of the Governor's Message, in regard to donation of land by the Congress of the United States, be referred to a Joint Select Committee of three on the part of the House, and two on the part of the Senate.

Resolved, (the Senate concurring,) That so much of the Governor's Message as relates to Banks and Banking be referred to a Joint Select Committee of two on the part of the Senate and three on the part of the House.

The Senate concurred, and the Speaker designated Messrs. Bynum and Morehead as the Senate branch of the Committee called for by the first resolution, and Messrs. Jones, of Columbus, and Wilson, by the second.

A message was received from the House of Commons, transmitting sundry recommendations for Justices of the Peace, which were concurred in, with the following exceptions:

The recommendations from the counties of Burke, Perquimans, Wake and Wayne, were laid on the table.

Those from the counties of Bladen, Chowan, Gaston, Gates, Guilford, Harnett, Henderson, Lenoir, Northampton and Onslow were amended and returned to the House for concurrence.

Mr. Stanford announced the death of Thomas I. Faison, the Senator from Sampson, and introduced the following resolutions, viz:

WHEREAS, By the inscrutable will of the Supreme Architect

of the Universe, Thomas I. Faison, a member of this body from the county of Sampson, has been suddenly cut down in the midst of his usefulness. Therefore,

Resolved, That we have heard with deep regret of the sudden death of our much esteemed fellow-member, and that our heartfelt sympathies are hereby tendered to the afflicted family of the deceased in their sad bereavement.

Resolved, That in the death of Thomas I. Faison, this body has lost a valuable and industrious member, and the State a useful and patriotic citizen.

Resolved, That a copy of these resolutions be sent to the family of the deceased.

Resolved, That as a mark of respect to the memory of the deceased, the Senate do now adjourn until Monday morning at 10 o'clock.

Messrs. Stanford, Williams and Howard paid eloquent tributes to the memory of the deceased.

The resolutions were unanimously adopted and the Senate adjourned.

MONDAY, JANUARY 22, 1866.

Prayer by the Rev. J. M. Atkinson.

The speaker designated Messrs. Covington, Coward and Berry as the Committee on Enrolled Bills for the present week.

On motion of Mr. Cowles,

The vote by which the Senate concurred in the recommendations for Justices of the Peace for Yadkin county was reconsidered, and it was made the special order for 12 o'clock to-morrow.

On motion of Mr. Leitch of Robeson,

The lists of Justices of the Peace for Burke county was

taken from the table, and made the special order for to-morrow, at 12 o'clock.

On motion of Mr. Black,

The vote by which the Senate concurred in the list of appointments of Justices of the Peace for Randolph county was reconsidered, and it was made the special order for to-morrow, at 12 o'clock.

Mr. Jones of Columbus, introduced a series of resolutions of a public character, which were ordered to be printed.

Mr. Wilson introduced resolutions, proposing to raise a Joint Select Committee of two on the part of the Senate, and four on the part of the House, to take into consideration whether the adjournment of the General Assembly on the 18th of December, 1865, to the 1st Monday in February, 1866, constituted, in law, a close of the session, as contemplated by the sixth ordinance of the Convention, relative to the cessation of the powers of the Provisional Justices of the Peace and other officers, and also the regularity of the meeting of the General Assembly, under the proclamation of the Governor, and if regular, whether the meeting thereof creates, in law, a new session.

Adopted.

A message was received from the House of Commons, recommending the names of sundry citizens of Brunswick county as Justices of the Peace for said county.

Concurred in.

A further message was received, informing the Senate that Messrs. Moore of Martin, Dalby, McGuire, Matthews and Dunn constituted the House branch of the Committee on Enrolled Bills for the week.

Bills, &c., of the titles following were introduced, read first time, passed their first reading, referred or otherwise disposed of, as follows, viz:

From the House: Engrossed Resolution (H. R. 20,) pro-

viding for extra copies of the report of the Public Treasurer. Filed.

From the House: Engrossed bill (H. 72,) to empower the Provisional Clerks of the County Courts, or the Clerks of the Superior Courts to administer oaths.

On motion of Mr. Cowles,

The rules were suspended, and the bill passed its second and third readings.

Ordered, To be enrolled.

By Mr. Shober: A bill (S. 63,) to authorize the Public Treasurer to collect and sell State property. Filed.

By Mr. Eure: A bill (S. P. 24,) to incorporate the "Albemarle, Steam Navigation Company." Filed.

By Mr. Shober: A bill (S. 64,) to extend the operation of an ordinance appointing a Judge to determine State claims to property. Referred to the Committee on the Judiciary.

On motion of Mr. McLean,

An Engrossed bill (H. P. 22,) to authorize the Mayor and Commissioners of Fayetteville to issue certificates of indebtedness, and appoint assessors of taxables, was taken up.

On motion of Mr. Morehead,

It was laid on the table, and subsequently, upon the motion of the same Senator, the bill was referred to the Committee on the Judiciary.

Mr. Arendell rose to announce the death of Mr. Hanrahan, one of the members of the House of Commons from the county of Pitt, and as a mark of respect to the memory of the deceased, moved that the Senate adjourn until to-morrow, at 11 o'clock.

Mr. Whitford, in seconding the motion, paid a feeling tribute to the deceased.

The motion was adopted, and the Senate adjourned.

TUESDAY, JANUARY 23, 1865.

Prayer by the Rev. H. Hardie.

Mr. Bynum, from the committee on the Judiciary, reported back the bill (S. P. 21,) to continue in office the Provisional Commissioners of Lincolnton and other towns, with a recommendation that it do pass, without the amendment offered including all the incorporated towns of the State.

Bills, &c., of the titles following, were introduced, referred, or otherwise ordered, as follows, to wit:

By Mr. Gash: A bill (S. 65,) to compel County and Superior Court Clerks, and Clerks and Masters in Equity, who do not live in town, to keep deputies, resident within the corporation, &c. Referred to the Judiciary.

By Mr. Harris of Rutherford: A bill (S. 66,) to attach the county of Mitchell to the 8th judicial circuit and for other purposes. Judiciary.

By Mr. Bynum: A bill (S. 67,) to continue in office Clerks and Masters until their successors are appointed. Judiciary.

From the House: A bill (H. 74,) to extend the time for collecting taxes.

On motion of Mr. Cowles,

The rules were suspended, and the bill passed its several readings.

Ordered, To be enrolled.

From the House: A bill (H. P. 35,) to incorporate the "Ministers Relief Society" for the Eastern Baptist Association. Filed.

Mr. Aycock submitted a recommendation of sundry citizens of Wayne county as Justices of the Peace for said county, which were agreed to and transmitted to the House of Commons.

On motion of Mr. Jones of Wake,

The list of magistrates for Wake county, was taken from the table and concurred in.

On motion of Mr. Jones of Wake,

The list of magistrates for Perquimans county was taken from the table, amended and transmitted to the House for concurrence.

A message was received from the House of Commons transmitting several additional names as Justices of the Peace for Randolph and Alamance counties. Concurred in.

A message was also received transmitting a series of resolutions, proposing to raise a Joint Select Committee of two on the part of the Senate and three on the part of the House, upon the subject of revising all the laws and ordinances passed by the several Legislatures and Conventions of this State since the —— day of February, 1861, and, further, to take into consideration the propriety of holding County Courts once in each month without jury trials, and as many terms of the Superior Courts as will give speedy relief in all matters, or such other plan as they may approve.

The resolutions were concurred in, and Messrs. Morehead and Leach of Davidson were designated as the Senate branch of the committee. Messrs. Smith of Hertford, Faircloth of Wayne and McKay compose the House branch.

Bills, &c., of the titles following, were read the second time, passed their second reading, or otherwise disposed of as follows, to wit:

S. 58, bill to limit the number of the Justices of the Peace. Laid on the table.

H. R. 70, resolution providing for extra copies of the report of the Public Treasurer.

S. 63, bill to authorize the Public Treasurer to collect and sell State property.

H. P. 27, engrossed bill to authorize holding an election for Commissioners of the town of Goldsboro', in Wayne county, and for other purposes.

On motion of Mr. Aycock,

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

Ordered, To be enrolled.

S. P. 21, bill to continue in office the Provisional Commissioners of Lincolnton and other towns.

On motion of Mr. Bynum,

The rules were suspended and the bill read the third time, amended so as to include the towns of Hillsboro', Louisburg, Milton and Kenansville, and passed.

Ordered, To be engrossed.

On motion of Mr. McLean,

The list of magistrates for Cumberland county, was taken from the table, amended and transmitted to the House for concurrence.

The speaker announced the hour for the special order, to wit: The motion to reconsider the vote by which the Senate had concurred in the recommendation of certain persons as Justices of the Peace for Yadkin county.

The Speaker held that the matter had passed out of the hands of the Senate, and the motion was not in order.

Mr. Cowles appealed from the decision of the chair, and the question being, "Shall the decision of the chair be held as the decision of the Senate," was put

Decided in the affirmative, { Yeas, ... 23, Nays, ... 14.

On motion of Mr. Morehead,

The yeas and nays were ordered.

Those who voted in the affirmative are,

Messrs. Arendell, Aycock, Berry, Black, Blount, Boyd, Bullock, Covington, Coward, Donaho, Garner, Gash, Gorrell, Harris of Rutherford, Jones of Wake, Leach of Davidson, Leitch of Robeson, McEachern, Morgan, Whitford, Wiggins, Williams and Wilson.

Those who voted in the negative are,

Messrs. Bogle, Bynum, Cowles, Eure, Ferebee, Harris of Franklin, Jones of Columbus, McLean, Morehead, Pitchford, Sanders, Shober, Stanford and Winstead.

On motion of Mr. Bynum,

The list of magistrates for Burke county was made the special order for Thursday at 12 o'clock.

A message was received from the House of Commons transmitting the report of the Treasurer of the University, with a proposition to print. Concurred in.

On motion of Mr. Aycock,

Leave of absence was granted to the Assistant Clerk until Thursday morning.

On motion of Mr. Williams,

The vote by which the Senate sustained the decision of the chair, in the ruling in regard to the motion to reconsider the vote by which the Senate had concurred in the recommendations for Justices of the Peace for Yadkin county, was reconsidered.

On motion of Mr. Cowles,

The Senate adjourned until 11 o'clock tomorrow.

WEDNESDAY, JANUARY 24, 1866.

David E. Tayloe, Senator elect from the county of Bertie, being the seventh Senatorial District, in place of Hon. John Pool, resigned, presented his credentials, and was quallified according to law.

Mr. Jones of Columbus, introduced resolutions referring different parts of the Governor's message to the appropriate committees. Adopted.

Bills, &c., of the titles following were introduced, read first time, referred or otherwise disposed of, as follows, viz:

By Mr. Hall: A bill (S. 69;) for the relief of certain Freedmen. Refered to the Committee on the Judiciary.

From the House: A bill (H. P. 34,) to re-organize the corporation governments of the City and Academy of Newbern.

On motion of Mr. Whitford,

The rules were suspended, and the bill passed its several readings.

Ordered, To be enrolled.

From the House: A bill (H. P. 32.) to prevent obstructions to the passage of fish up the waters of Catawba river, in the county of McDowell.

From the House: A bill (H. 66.) for the more complete re-organization of the State Government, and for other purposes.

Ordered to be printed and referred to the Judiciary.

The ruling of the Chair, in relation to the motion to re-consider the vote by which the Senate had concurred in the list of Justices of the Peace for Yadkin county, came up as the unfinished business, the question being, "Shall the decision of the Chair stand as the decision of the Senate," was put, and decided in the negative.

The question recurring upon the motion to reconsider, was put and decided in the affirmative.

On motion of Mr. Cowles,

The list of magistrates for Yadkin county was laid on the table.

Bills, &c., of the titles following being read the third time, passed, and were ordered as follows, to wit:

H. R. 70, engrossed resolutions providing for extra copies of the report of the Public Treasurer.

Ordered, To be enrolled.

S. 63, bill to authorize the Public Treasurer to collect and sell State property.

Ordered, To be engrossed.

A message was received from the House of Commons transmitting the names of sundry citizens as Justices of the Peace for the counties of Hyde, Duplin, Currituck, Harnett, Nash and Chatham, which were concurred in.

The Speaker designated the following Senators as members of the several standing and joint Committees, in place of Mr. Warren, resigned as follows:

Judiciary—Mr. Winstead.

Education and Literary Fund—Mr. Tayloe.

Banks and Currency—Mr. Berry.

Deaf, Dumb and Blind Asylum—Mr. Bullock.

Resolutions of a public character heretofore introduced by Mr. Jones, of Columbus, were adopted and transmitted to the House of Commons for concurrence.

Mr. Cowles submitted recommendations for Justices of the Peace for Yadkin county, which were agreed to and transmitted to the House of Commons.

On motion of Mr. Covington,

The Senate adjourned until to-morrow at 10 o'clock.

THURSDAY, JANUARY 25, 1865.

Prayer by the Rev. R. S. Mason, D. D.

Reports from standing committees were submitted and filed as follows:

By Mr. Bynum, from the Committee on the Judiciary, S. 66 bill, to attach the county of Mitchell to the 8th Judicial Circuit and for other purposes, with the recommendation that the same do pass.

S. 67, bill to continue in office Clerks and Masters until their successors are appointed, with the recommendation that the same do pass.

By Mr. Leach, of Davidson, from the same committee, resolutions concerning the Banks of the State, asking to be discharged from their further consideration and their reference to the Joint Select Committee on Banks and Banking. Ordered accordingly.

Mr. Harris, of Rutherford, introduced the following resolution:

Resolved, That in order to devise some plan to raise revenue in some way, that will be equitable and the least burdensome

to the people, the Committee on Finance be and are hereby requested to consider the expediency of adopting a "Stamp law," and that they report by bill or otherwise, in connection with other reports that they may have to make on the subject.

Adopted.

Bills, &c., of the titles following were introduced, passed the first reading, referred or otherwise disposed of, as follows:

By Mr. Covington: A bill (S. 71,) in relation to constables and other officers. Referred to the Committee on the Judicairy.

From the House: A bill (H. 91,) to authorize the Justices of Carteret county to levy taxes for the support of the Poor and for other county purposes.

On motion of Mr. Arendell,

The rules were suspended and the bill passed its several readings.

Ordered, To be enrolled.

From the House: A bill (H. 64,) to prohibit for a limited time the distillation of spirituous liquors from grain.

Ordered, To be printed and referred to the Committee on the Judiciary.

From the House: A bill (H. P. 31,) to incorporate the "Clarendon Bridge Company," and to invest certain other powers therein. Referred to the committee on Corporations.

Bills of the titles following being read the second time, passed and were disposed of, as follows:

S. 66, bill to attach the county of Mitchell to the 8th Judicial Circuit and for other purposes.

On motion of Mr. Bynum,

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

Ordered, To be engrossed.

S. 67, bill to continue in office Clerks and Masters until their successors are appointed.

On motion of Mr. Bynum,

The rules were suspended, and the bill was read the third

time, and the question being on the passage of the same, was put and

Decided in the negative, { Yeas,..... 26 / Nays,..... 13

On motion of Mr. Wilson,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Aycock, Black, Blount, Bogle, Boyd, Bullock, Bynum, Coward, Cowles, Eure, Ferebee, Garner, Gorrell, Harris, of Franklin, Keener, Leach, of Davidson, Morehead, Morgan, Pitchford, Shober, Stanford, Tayloe, Whitford, Williams and Winstead.

Those who voted in the negative are:

Messrs. Berry, Covington, Cowper, Donaho, Gash, Hall, Harris, of Rutherford, Leitch, of Robeson, McEachern, McLean, Sanders, Wiggins and Wilson.

Ordered, To be engrossed.

A message was received from the House of Commons transmitting recommendations for Justices of the Peace for Bertie and Northampton counties, which were concurred in.

Received a further message notifying the Senate that the House of Commons had concurred in the recommendations for Justices of the Peace for Yadkin county; and also transmitting recommendations for the counties of Montgomery, Rowan, Union, Watauga, Haywood, Macon, Johnston and Polk.

The recommendations for Montgomery were laid on the table, the others were concurred in.

The Speaker announced the hour for the special order, to wit: The recommendations for Justices of the Peace for Burke county.

On motion of Mr. Shober,

They were laid on the table.

Mr. Eure moved that the Senate proceed to the consideration of the unfinished business on the calendar, introduced at the last session.

The Speaker ruled that as this General Assembly was now

sitting under the call of the Governor and not upon their own adjournment, it was a new session, and all business must begin *de novo*. The motion was therefore held to be out of order.

On motion of Mr. Wilson,

The Senate adjourned until 11 o'clock to-morrow.

FRIDAY, JANUARY 26, 1866.

Prayer by the Rev. H. Hardie.

Reports from standing committees were submitted and filed as follows, to wit:

By Mr. Winstead, from the committee on the Judiciary, H. P. 22, bill to authorize the mayor and commissioners of Fayetteville to issue certificates of indebtedness, and appoint assessors of taxes, asking to be discharged from its further consideration, there being no evidence that notice had been given.

Discharged accordingly.

By Mr. Arendell, from the Committee on Corporations, S. P. 20, bill to incorporate Salem Female Academy, with the recommendation that it do pass.

H. P. 31, bill to incorporate the "Clarendon Bridge Company," and to invest certain other powers therein, with a recommendation favorable to its passage.

A message was received from the House of Commons, transmitting recommendations for Justices of the Peace for the counties of Camden, Rockingham, Hertford, Jackson, New Hanover and Lenoir.

The Senate concurred in all the recommendations, with the exception of New Hanover, which were amended and transmitted to the House for concurrence.

A further message was received, transmitting the following resolution, passed by the House of Commons, in which the concurrence of the Senate was asked, to wit:

Resolved, That the Secretary of State have the journals of

the General Assembly of the session of 1864–1865 printed and distributed in accordance with section 7, Revised Code, ch. 93. Filed.

Mr. Leach of Davidson, introduced the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to inquire into the propriety of hereafter designating (to avoid confusion and unnecessary discrimination,) all persons of color, including those who were formerly slaves, as well as those who have always been free, as *free negroes*, instead of designating the two classes respectively, as *free negroes* and *freedmen*.

Adopted.

Bills, &c., of the titles following being introduced, passed their first reading and were referred or otherwise disposed of, as follows:

By Mr. Leach of Davidson: A bill (S. 74,) for the relief of the people by authorizing the Banks of the State to subscribe for stock in the National Banks.

Ordered, To be printed and referred to the Committee on Banks and Currency.

From the House: A bill (H. 80,) to amend chapter 101, section 9, of the Revised Code, entitled "Roads, Ferries and Bridges." Filed.

From the House: A bill (H. 95,) concerning the *per diem* and mileage of the Council of State. Filed.

By Mr. Morehead: A bill (S. 77,) to enable sheriffs and tax collectors to collect arrearages of taxes for the year 1864.

Ordered, To be printed and referred to the Committee on the Judiciary.

By Mr. Arendell: A bill (S. 78,) concerning the North-Carolina Institution for the Deaf, Dumb and the Blind.

Ordered, To be printed.

By Mr. Gash: A bill (S. 79,) to secure taxes on distillation of spirituous liquors.

Ordered, To be printed and referred to the Committee on the Judiciary.

From the House: A bill (H. P. 29,) to legalize the election of Mayor and Commissioners in the town of Morganton. Filed.

From the House: A bill (H. P. 33,) to incorporate the town of "Company Shops," in the county of Alamance. Filed.

From the House: A bill (H. P. 36,) to incorporate "The Portis Gold Mining Company," in the county of Franklin. Filed.

From the House: A bill (H. P. 42,) to incorporate the town of Newport, in the county of Carteret.

On motion of Mr. Arendell,

The rules were suspended, and the bill passed its several readings.

Ordered, To be enrolled.

From the House: A bill (H. P. 37,) supplemental to act entitled "An Act for the government of the town of Elizabeth City in the county of Pasquotank, passed by the General Assembly in 1852."

On motion of Mr. Ferebee,

The rules were suspended and the bill passed its several readings.

Ordered, To be enrolled.

A message was received from the House of Commons, informing the Senate of the concurrence of that body in the recommendations for Justices of the Peace for the counties of Alexander, Surry and Ashe, and concurring in the amendments to the New Hanover recommendations.

On motion of Mr. Eure,

Leave of absence was granted to Mr. Blount until Wednesday next.

On motion of Mr. Gash,

The Senate adjourned until 11 o'clock to-morrow.

SATURDAY, JANUARY 27, 1866.

Prayer by the Rev. Mr. Hudson.

On motion of Mr. Cowper,

Leave of absence was granted to Mr. Garner until Monday morning.

On motion of Mr. Whitford,

Leave of absence was granted until Tuesday next to Mr. Coward.

Reports from standing committees were submitted, as follows, to wit, viz:

By Mr. Winstead, from the Committee on Propositions and Grievances: Memorial from citizens of Cumberland county, in regard to the distillation of grain, with a request to be discharged from its further consideration, as the whole subject is now before the Senate in an engrossed bill.

Discharged accordingly.

By Mr. Bynum, from the Committee on the Judiciary: S. 65, Bill concerning Superior and County Court Clerks and Clerks and Masters, with a substitute therefor, recommending the passage of the substitute.

Mr. Leach of Davidson, introduced a resolution, which was adopted, instructing the Committee on the Judiciary to inquire into the legal liabilities of Administrators and Guardians as to the assets and depreciated currency in their hands during the war, and at its termination, and report what legislation, if any, is necessary.

A resolution transmitted on yesteaday from the House of Commons, directing the Secretary of State to have the Journals of the General Assembly of the session of 1864–'65, printed and distributed according to law, was adopted.

Bills of the titles following were introduced, read first time, referred, or otherwise disposed of as follows, to wit:

By Mr. Jones of Columbus: A bill (S. 80,) regulating the jurisdiction of the Courts and for other purposes.

Ordered, to be printed and referred to the Joint Select Committee on the Stay Law.

From the House: A bill (H. 97,) to amend an act passed 1865-'66, concerning the records of Burke and Sampson counties. Filed.

From the House: A bill (H. P. 39,) to incorporate "Dillwood Cemetery," in the county of Guilford. Filed.

By Mr. Cowles: A bill (S. 82,) to amend an act, entitled "An act for the relief of Landlords." Filed.

Bills of the titles following being read the second time, passed, and were filed for their third reading, or otherwise disposed of as follows, to wit:

S. P. 24, bill to incorporate the Albemarle Steam Navigation Company.

On motion of Mr. Eure,

The rules were suspended, and the bill passed its several readings.

Ordered, to be engrossed.

H. P. 35, engrossed bill to incorporate the "Minister's Relief Society," for the Eastern Baptist Association.

On motion of Mr. Morehead,

Laid on the table.

H. P. 32, engrossed bill to prevent obstructions of fish up the waters of Catawba river, in the county of McDowell.

S. P. 19, bill to authorize the Mayor and Commissioners of Fayetteville to issue certificates of indebtedness and appoint assessors of taxables, and the question being on the passage of the same its second reading, was put, and

Decided in the negative, { Yeas, ... 13, Nays, ... 18.

On motion of Mr. Black,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Boner, Covington, Cowles, Hall, Harris of Franklin,

Jones of Wake, Leitch of Robeson, McEachern, McLean, Sanders, Shober, Williams and Wilson.

Those who voted in the negative are:

Messrs. Black, Boyd, Bynum, Cowper, Donaho, Eure, Ferebee, Gash, Harris of Rutherford, Jones, of Columbus, Keener, McCleese, Morehead, Morgan, Pitchford, Tayloe, Whitford and Winstead.

S. 20, bill to incorporate the Salem Female Academy.

On motion of Mr. Boner,

The rules were suspended, and the bill passed its several readings.

Ordered, To be engrossed.

A message was received from the House of Commons, transmitting recommendations for Justices of the Peace for the counties of Mecklenburg, Anson, Alexander and Montgomery.

Those for Alexander were laid on the table, the others were concurred in.

Mr. Covington presented additional recommendations for Union county, which were concurred in by the House.

Mr. Cowles made additional recommendations for Alleghany.

A message was received from the House of Commons, proposing to go forthwith into an election for seven Trustees of the University; and that Messrs. J. H. Hyman, J. W. Cameron of Richmond, county, Seaton Gales, Luke Blackmer, Jas. S. Amis, Geo. Washington, of Lenoir county, H. W. Guion, B. S. Gaither, Tod. R. Caldwell, H. G. Williams, J. M. Hutchison, W. A. Jenkins, A. C. Cowles, R. S. Donnell, W. E. Pell, W. N. H. Smith and J. F. Hoke were in nomination in that House.

The Senate concurred, and Messrs. D. D. Ferebee, J. M. Perry and J. A. Engelhard were added to the nominations by Messrs. McCleese, Arendell and Shober, respectively.

A further message was received from the House, transmitting the names of Rev. R. S. Mason, W. W. Holden, P. Hor-

ton, D. D. Ferebee, Thos. Donaho and Nath'l. Boyden, as having been added to the nominations in that House.

The Senate then proceeded to ballot for seven Trustees of the University, under the superintendence of Messrs. Leach of Davidson and Whitford, with result as follows, viz:

Whole number of votes cast 37. For D. D. Ferebee 32; J. A. Engelhard 28; R. S. Donnell 24; L. Blackmer 19; A. C. Cowles 18; W. N. H. Smith 18; J. M. Perry 18; J. H. Hyman 15; Jno. S. Amis 13; Jno. W. Cameron 11; H. G. Williams 11; W. P. Bynum 10; W. A. Jenkins 9; T. R. Caldwell 6; H. W. Guion 5; Messrs. W. E. Pell, J. F. Hoke and B. S. Gaither 4 each; Messrs. Thos. Donaho, Jno. H. Haughton, D. G. Fowle and Seaton Gales 3 each; Messrs. R. S. Mason and Nath'l. Boyden 2 each; and Messrs. J. T. Morehead, J. D. Whitford, P. Horton and J. H. Wilson one each.

On motion of Mr. Wilson,

The Senate adjourned until Monday morning, at 11 o'clock.

MONDAY, JANUARY 29, 1866.

Mr. McKoy, Senator elect from the county of Sampson, being the 21st Senatorial District, to supply the unexpired term of Thomas I. Faison, deceased, appeared, presented his credentials and was qualified according to law.

The Speaker designated Messrs. Donaho, Cowles and Eure as the Committee on Enrolled Bills for the present week.

Mr. Wilson, from the Joint Select Committee on the "status" of the present Legislature, submitted the following special report, to-wit:

The Joint Select Committee, to whom was referred the Resolution directing an enquiry as to the legal "status" of the present General Assembly, have had the same under consideration and ask leave to submit the following report:

The facts are found to be as follows, to wit: The General Assembly, by a joint resolution, adjourned on the 18th of December, 1865, to the first Monday in February, 1866. That the Civil Governor of the State, under the advice of the Council thereof, by proclamation, convened the Body on the 18th of January, 1866. That the Assembly convened on the day appointed by the Governor's proclamation. That when the Assembly adjourned as aforesaid, it was not its purpose by so doing to close the session, but to take a recess, as indicated by the adoption of various propositions postponing the further consideration of bills pending before the Body to the first Monday in February, 1866.

In view of these facts, the Committee is of the opinion that the adjournment of the Assembly, and its meeting under the proclamation of the Governor as aforesaid, should constitute but one session, and therefore respectfully recommend the adoption of the following Resolution:

Resolved, by the Senate and House of Commons, in General Assembly convened, That the adjournment of the Body, and its meeting again, under the circumstances as aforesaid, is hereby declared to be but *one session* of this General Assembly.

Respectfully submitted,

J. H. WILSON, *Chm'n.*

On motion of Mr. Bynum,

Ordered, To be printed and made the special order for Thursday at 12 o'clock.

A message was received from the House of Commons, proposing to go forthwith into an election for five Trustees of the University, and that Messrs. S. S. Jackson, J. D. Whitford, R. H. Cowan, Evans Benbow, Jno. H. Haughton and W. P. Bynum were added to the names in nomination, and that the names of Messrs. H. G. Williams, Thomas Donaho, W. E. Pell, B. S. Gaither, N. Boyden and H. W. Guion were withdrawn.

On motion of Mr. Wilson,

Laid on the table.

A message was also received from the House of Commons transmitting the names of sundry persons recommended for Justices of the Peace for the counties of Carteret, Tyrell, Surry, Alamance, Madison, Transylvania and Sampson, which were concurred in.

Mr. Gash recommended an additional name for Madison county, which was agreed to and transmitted to the House.

Bills, &c., of the titles following were introduced and passed their first reading, referred or otherwise disposed of as follows, viz:

By Mr. Morehead: A bill (S. 83,) for the relief of Landlords. Judiciary.

From the House: Resolution (H. R. 106,) authorizes the Public Treasurer to employ an assistant clerk.

On motion of Mr. Wiggins,

The rules were suspended and the resolution passed its several readings.

Ordered, To be enrolled.

From the House: A bill (H. P. 40,) to incorporate the Weldon Enterprize Company.

On motion of Mr. Wiggins,

The rules were suspended and the bill was read the second time.

On motion of Mr. Howard,

Referred to the Committee on the Judiciary.

Mr. Leach, of Davidson, from the Committee to superintend the election for Trustees of the University, reported as follows, to-wit:

Whole number of votes cast 130. Necessary to a choice 66. Of which W. N. H. Smith received 95; Luke Blackmer 79; John W. Cameron 62; Seaton Gales 59; D. D. Ferebee 50; W. A. Jenkins 50; J. H. Hyman 44; R. S. Donnell 37; A. C. Cowles 35; J. F. Hoke 32; D. G. Fowle 32; James S. Amis 31;

J. A. Engelhard 30; P. Horton 24; H. G. Williams 22; T. R. Caldwell 21; Nathaniel Boyden 19; J. M. Peny 18; W. E. Pell 18; J. D. Whitford 13; H. W. Guion 12; B. S. Gaither 12; W. P. Bynum 10; D. F. Caldwell 10; scattering 14. Messrs. Smith and Blackmer, having received a majority of the whole number of votes cast, were duly elected.

The report was concurred in.

A message was received from the House of Commons, returning an engrossed bill (S. 22,) to prevent horse-stealing, with several amendments, which were concurred in, when

On motion of Mr. Wiggins,

The votes by which the Senate concurred in the amendments were re-considered, and the bill ordered to be laid on the table.

Bills of the following titles were read the second time, passed their second reading, filed or otherwise disposed of as follows, to-wit:

H. P. 31, bill to incorporate the "Clarendon Bridge Company" and to invest certain other powers therein.

On motion of Mr. McLean,

The rules were suspended and the bill passed its several readings.

Ordered, To be enrolled.

S. 65, bill to compel County and Superior Court Clerks, and Clerks and Masters in Equity, who do not live in towns, to keep deputies resident within the corporation.

H. 80, bill to amend Chapter 101, Section 9 of the Revised Code, entitled "Roads, Ferries and Bridges."

H. 95, bill concerning the *per diem* and mileage of the Council of State.

On motion of Mr. Shober,

The bill was amended as follows; strike out all after the enacting clause in the first section and insert, "*That the officers and members of the Council of State, and also of the Literary Board and of the Internal Improvement Board, shall receive,*

when assembled upon the summons of the Governor, the same per diem and mileage as the members of the General Assembly."

H. 97, bill to amend an Act passed 1865-'66, concerning the records of Burke and Sampson counties.

S. 82, bill to amend an Act entitled "An Act for the relief of Landlords."

On motion of Mr. Ferebee,

The vote by which the Senate rejected the bill (H. P. 22,) to authorize the Mayor and Commissioners of Fayetteville to issue certificates of indebtedness and appoint assessors of taxables, on its second reading, was reconsidered and the bill laid on the table.

Mr. Jones, of Wake, by permission, introduced a resolution (S. P. R. 36,) in favor of Drury King.

Referred to the Committee on Claims.

A message was received from the House of Commons, proposing to go forthwith into an election for five Trustees of the University, in which the Senate concurred and under the superintendence of Messrs. Howard and Shober ballotted as follows: Whole vote 41. For J. A. Engelhard 35; D. D. Ferebee 32; W. P. Bynum 22; J. H. Hyman 20; J. H. Haughton 14; A. C. Cowles 11; John W. Cameron 9; J. D. Whitford 8; W. A. Jenkins 8; S. S. Jackson 7; P. Horton 6; Seaton Gales 5; J. F. Hoke 4; James S. Amis 4; scattering 20.

On motion of Mr. Jones, of Wake,

The Senate adjourned until to-morrow at 11 o'clock.

TUESDAY, JANUARY 30, 1865.

Prayer by the Rev. N. B. Cobb.

Received a message from the House of Commons, transmitting a message from the Public Treasurer, asking its reference to the Committee on Finance.

Concurred in.

An additional name was recommended as a Justice of the Peace for Rowan county, by message from the House, in which the Senate concurred.

Reports from standing committees were submitted and received, as follows, viz:

By Mr. Morehead, from the Committee on the Judiciary: S. 83, bill for the relief of Landlords, with the recommendation that the same do not pass.

By Mr. Leach of Davidson, from the same committee: H. P. 40, engrossed bill to incorporate the Weldon Enterprize and Loan Company, with the recommendation that the same do pass.

By Mr. Howard, from the same committee: H. 66, engrossed bill for the more complete re-organization of the State government and for other purposes, with amendments, recommending the passage of the same.

On motion of Mr. Howard,

The rules were suspended, and the bill placed upon its passage, and the amendments offered by the Judiciary committee, as follows: Strike out in section 4th, the words, "*and dispatch the same by special messenger, or such other agency as he may deem safe and expeditious,*" and strike out all after the enacting clause in section 6th, and insert as follows: "*That any two magistrates of a county are hereby authorized to qualify the person elected Superior Court Clerk for their county, November 9th, 1865, according to section 7th, chapter 19th, Revised Code, in like manner, as if they had been commissioned so to do by a Judge.*"

The question being upon agreeing to the amendments proposed by the committee, was put and decided in the affirmative.

Ordered, To be transmitted to the House of Commons for concurrence.

Bills of the titles following being introduced, were read, filed, or otherwise disposed of, as follows:

From the House: A bill (H. 114,) to amend an Ordinance

of the State Convention, entitled, "An Ordinance to incorporate the Piedmont Railroad Company," ratified the 8th day of February, 1862.

By Mr. Gash: A bill (S. 86,) to repeal that part of section 2, chapter 68, Revised Code, which relates to bonds on marriage licenses. Referred to the Committee on Finance.

Mr. Shober, from the committee to superintend the election for five Trustees of the University, reported as follows, to wit:

Whole number of votes cast 138. Necessary to a choice 70. Of which D. D. Ferebee received 68; Jno. W. Cameron 68; Seaton Gales 64; J. H. Hyman 63; W. A. Jenkins 63; J. H. Haughton 48; J. A. Engelhard 39; W. P. Bynum 33; P. Horton 29; A. C. Cowles 27; J. F. Hoke 24; R. H. Cowan 18; J. D. Whitford 13; S. S. Jackson 13; Jas. S. Amis 11; D. G. Fowle 11; T. R. Caldwell 10; J. M. Hutchison 10; D. F. Caldwell 7; For all others 11. No one having received a majority of the whole number cast, there was no election.

Concurred in.

Bills of the titles following, on their third reading, were passed, or otherwise disposed of, as follows:

S. 65, to compel County and Superior Court Clerks and Clerks and Masters in Equity, who do not live in town, to keep deputies resident within the corporation.

Mr. Leach of Davidson, moved to amend by striking out the words "*within the corporate limits of the respective towns of their counties*," and insert the words "*at the towns in which the courthouse is situated*," in the first section, and also at the end of the section strike out the words, "*Provided, however, the towns be incorporated;*" and the question being thereon, they were adopted.

Mr. Garner moved to amend by inserting in the first section, after the words "*Clerks and Masters in Equity*," the words, "*and sheriffs*," and the question being put, it was adopted.

Mr. Cowper moved to amend the second section by adding

the words, "*Provided, That the provisions of this act shall not extend to the county of Hertford,*" and it was adopted.

And the question recurring upon the passage of the bill, as amended.

On motion of Mr. Cowper,

The bill was laid on the table.

H. 80, engrossed bill to amend chapter 101, section 9, of the Revised Code, entitled "Roads, Ferries and Bridges." Referred to the Committee on Propositionsand Grievances.

H. 95, bill concerning the *per diem* and mileage of the Council of State.

Ordered, To be transmitted to the House of Commons for concurrence in amendment.

H. 97, engrossed bill to amend an act passed 1865–'66, concerning the records of Burke and Sampson counties.

Ordered, To be enrolled.

Additional names for Justices of the Peace were nominated for the counties of Hertford, Ashe, Cabarrus and Macon, recommended and transmitted to the House of Commons for concurrence.

Received a message from the House proposing to go forthwith into an election for five trustees of the University, and that the names of Rt. Rev. Thos. Atkinson, Rev. R. H. Marsh, Rev. T. M. Jones and Rev. Alex. Wilson were added to, and the names of Messrs. R. H. Cowan, A. C. Cowles, D. F. Caldwell, Jas. S. Amis and J. M. Hutchison were withdrawn from, those in nomination.

The Senate concurred, and Rev. N. Shotwell was added to, and J. A. Engelhard withdrawn from, the names in nomination in this body, and, under the superintendence of Messrs. Cowper and Winstead, a ballot was had.

And pending the report of the committee, the Senate,

On motion of Mr. Keener,

Adjourned until 11 o'clock to-morrow.

WEDNESDAY, JANUARY 31, 1866.

Prayer by Rev. H. Hardie.

Reports from Standing and Select Committees were received and filed as follows, to-wit:

By Mr. Wiggins, from the committee on Finance: S. 55, bill making provision for the payment of interest on State Bonds now due, with a recommendation that the bill do not pass.

By Mr. Bynum from the same Committee: S. 56, bill directing coupons of the Bonds of the State to be received in payment of State taxes, recommending that it do not pass.

By Mr. Morehead, from the committee on the Judiciary: S. 75, bill in relation to constables and other officers, recommending its passage.

By Mr. Winstead, from the committee on Propositions and Grievances: H. 80, bill to amend Chapter 101, Section 9 of the Revised Code, entitled "Roads, Ferries and Bridges," with the recommendation that it do pass.

By Mr. Jones, of Columbus, from the Joint Select Committee on the Piedmont Railroad, a report embracing information on the subject matter referred to said Committee, asking to be discharged from the further consideration thereof.

Discharged accordingly.

Mr. Cowper, from the Committee to superintend the election for five Trustees of the University, submitted a report, as follows, to wit:

Whole number of votes cast 141. Necessary to a choice 71. Of which John W. Cameron received 86; Seaton Gales 76; D. D. Ferebee 73; W. A. Jenkins 66; J. H. Hyman 60; J. F. Hoke 54; W. P. Bynum 42; Rev. T. M. Jones 38; Rt. Rev. Thomas Atkinson 44; Rev. R. H. Marsh 33; J. H. Haughton 29; Rev. Alex. Wilson 29; P. Horton 12; E. G. Yellowly 12; and all others 46. Messrs. Cameron, Gales and Ferebee, having each received a majority of the whole, were duly elected.

The report was concurred in.

Mr. Ferebee gave notice that Mr. Latham, the Senator from Washington and Martin, had been and still was detained at home on account of very severe illness in his family.

Bills, &c., of the titles following were read the second time, filed or otherwise disposed of, as follows, to wit: S. 83, bill for the relief of landlords, indefinitely postponed.

H. 114, engrossed bill to amend an ordinance of the State Convention, to incorporate the "Piedmont Railroad Company," ratified the 8th day of February, 1862.

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

Decided in the affirmative, { Yeas, ... 33, Nays, ... 10.

On motion of Mr. Jones, of Columbus,

The yeas and nays being demanded,

Those who voted in the affirmative are:

Messrs. Berry, Black, Bogle, Boner, Boyd, Bullock, Bynum, Covington, Coward, Cowles, Cowper, Donaho, Eure, Ferebee, Garner, Gash, Gorrell, Howard, Isbell, Keener, Leach, of Davidson, McEachern, McKoy, McLean, Morehead, Morgan, Sanders, Shober, Tayloe, Wiggins, Williams, Wilson and Winstead.

Those who voted in the negative are:

Messrs. Arendell, Aycock, Hall, Harris, of Franklin, Harris, of Rutherford, Jones, of Columbus, Jones, of Wake, Leitch, of Robeson, McNeese and Pitchford.

On motion of Mr. Leach, of Davidson,

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

Ordered, To be enrolled.

H. P. 40, engrossed bill to incorporate the Weldon Enterprize and Loan Company.

On motion of Mr. Wiggins,

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

Ordered, To be enrolled.

H. P. 32, engrossed bill to prevent obstructions to the passage of fish up the waters of Catawba river in the county of McDowell. Referred to the Committee on the Judiciary.

H. P. 29, engrossed bill to legalize the election of Mayor and Commissioners in the town of Morganton.

H. P. 36, engrossed bill to incorporate the "Portis Gold Mining Company," in the county of Franklin.

H. P. 33, engrossed bill to incorporate the town of "Company Shops" in the county of Alamance.

H. P. 39, engrossed bill to incorporate "Dillwood Cemetery" in the county of Guilford.

A message was received from the House of Commons, with information that the House had passed Senate bill (S. 63,) to authorize the Public Treasurer to collect and sell State property, with several amendments.

The Senate concurred in the amendments.

Ordered, To be enrolled.

A bill (S. 29,) for the relief of all persons that may suffer from the destruction of records and other papers during the war, was also transmitted from the House, as having passed that body, with amendments, in which the Senate concurred.

Ordered, To be enrolled.

A message was received from the House of Commons, informing the Senate that the House had concurred in the Senate amendments to the bill (H. 66,) for the more complete reorganization of the State Government and for other purposes.

Ordered, To be enrolled.

The message also transmitted the bill (S. 67,) to continue in office Clerks and Masters until their successors are appointed, with an amendment in which the Senate concurred.

Ordered, To be enrolled.

Recommendations were received from the House for Justices of the Peace for the counties of Columbus and Warren, which were concurred in.

Additional recommendations were made for Justices of the Peace for the counties of Columbus, Rowan, Hyde and Stokes.

Mr. Isbell made nominations for the county of Burke. They were agreed to, and ordered to be transmitted to the House for concurrence.

An engrossed bill (H. 28,) to authorize a Court of Pleas and Quarter Sessions for the county of Cabarrus was received from the House, read first time and filed.

A bill (S. 82,) to amend an Act, entitled "An Act for the relief of Landlords," was read the third time.

Mr. Gash moved to amend by adding the following section to the bill: "*Be it further enacted*, That the Sheriff and Jurors shall be allowed their usual fees, costs, mileage and *per diem* as allowed for similar services in the Courts," which was adopted.

On motion of Mr. Bynum,

Referred to the Committee on the Judiciary.

Mr. McLean moved that the vote by which the Senate rejected the bill (H. P. 22,) to authorize the Mayor and Commissioners of Fayetteville to issue certificates of indebtedness and appoint assessors of taxables, be reconsidered, and the motion prevailed.

The question recurring upon the passage of the bill its second reading, was put and

Decided in the affirmative, { Yeas..... 20 / Nays..... 15

On motion of Mr. Cowper,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Aycock, Boner, Covington, Cowles, Donaho, Eure, Gash, Hall, Harris, of Franklin, Howard, Jones, of Wake, Keener, Leach, of Davidson, Leitch, of Robeson, McLean, Sanders, Shober, Tayloe, Williams and Wilson.

Those who voted in the negative are:

Messrs. Berry, Black, Bogle, Boyd, Bullock, Coward, Cow-

per, Garner, Isbell, Jones, of Columbus, McCleese, Morehead, Morgan, Pitchford and Whitford.

On motion of Mr. McLean,

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

Ordered, to be enrolled.

On motion of Mr. Ferebee,

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

The House being in Committee of the Whole, the messenger was not received.

On motion of Mr. Whitford,

The Senate adjourned until 11 o'clock to-morrow.

THURSDAY, FEBRUARY 1, 1865.

Prayer by the Rev. R. S. Mason, D. D.

Mr. McLean presented a memorial from citizens of Harnett county, praying for relief from the State on account of rosin taken by agents of the State from the memorialists.

Referred to the Committee on Propositions and Grievances.

Mr. Gash moved to reconsider the vote by which the Senate, on yesterday, passed the bill (H. P. 22,) to authorize the mayor and commissioners of Fayetteville to issue certificates of indebtedness and appoint assessors of taxables.

Mr. Leitch of Robeson, moved to lay the motion on the table, and the question, being thereon, was put and

Decided in the negative, { Yeas, ... 10. / Nays, ... 28.

On motion of Mr. Jones of Columbus,

The yeas and nays were ordered.

Those who voted in the affirmative are,

Messrs. Aycock, Covington, Eure, Keener, Leitch of Robeson, McEachern, McLean, Sanders, Williams and Wilson.

Those who voted in the negative are,

Messrs. Arendell, Berry, Black, Boner, Boyd, Bynum, Coward, Cowles, Cowper, Ferebee, Garner, Gash, Gorrell, Harris of Rutherford, Howard, Isbell, Jones of Columbus, Jones of Wake, Latham, Leach of Davidson, McCleese, Morehead, Morgan, Pitchford, Snead, Tayloe, Wiggins and Winstead.

The question, recurring upon the motion to reconsider, was put and decided in the affirmative.

Mr. Jones of Columbus, moved to suspend the rules and place the bill upon its third reading.

A message was received from the House of Commons, proposing to go forthwith into an election for two Trustees of the University, which was,

On motion of Mr. Jones of Columbus,

Laid on the table.

The question recurring upon the motion to suspend the rules,

Mr. Morehead moved to lay the bill upon the table, but it did not prevail, and the rules were suspended, and the question recurring upon the passage of the bill its third reading was put, and

Decided in the negative, { Yeas, ... 13. Nays, ... 23.

On motion of Mr. Garner,

The yeas and nays being ordered,

Those who voted in the affirmative are,

Messrs. Aycock, Covington, Eure, Harris of Franklin, Jones of Wake, Keener, Leitch of Robeson, McEachern, McLean, Sanders, Shober, Williams and Wilson.

Those who voted in the negative are,

Messrs. Arendell, Berry, Black, Boner, Boyd, Bynum, Coward, Cowles, Cowper, Garner, Gash, Gorrell, Harris of Rutherford, Howard, Isbell, Jones of Columbus, Latham, McCleese, Morgan, Pitchford, Tayloe, Wiggins and Winstead.

Reports from standing and select committees were submitted and received as follows, to wit:

By Mr. Wiggins, from the Committee on Finance: A communication of the Public Treasurer in regard to the issuing of certificates and reasonable fees, asking to be discharged from its further consideration.

Discharged accordingly.

By Mr. Garner, from the committee on Public Buildings:

A resolution (S. R. 88,) concerning the Public Square, with a recommendation that it do pass.

By Mr. Morehead, from the committee on the Judiciary: A bill (S. 82,) to amend an act, entitled "An Act for the relief of landlords," with amendments, recommending the passage of the same.

By Mr. Harris of Rutherford, from the Committee on Privileges and elections:

That portion of the Governor's Message in relation to "Priviliges and Elections," asking to be discharged from its further consideration, as the evils alluded to have already been provided for by the legislation of the General Assembly.

Discharged accordingly.

By Mr. Cowles, from the Committee on Claims: Resolution (S. P. R. 36,) in favor of Drury King, recommending the passage of the same.

By Mr. Howard, from the Committee on the Judiciary:

An engrossed bill (H. 64,) to prohibit, for a limited time, the distillation of spirituous liquors from grain, with amendments, recommending its passage.

By Mr. Leach of Davidson, from the same:

A bill (S. 79,) to secure taxes on distillation of spirituous liquors, asking to be discharged from its further consideration.

Discharged accordingly.

By Mr. Bynum, from the Joint Select Committee on the *status* of the present session of the General Assembly:

A minority report, with accompanying resolutions, which

were ordered to be printed, and, in connection with the majority report, were made the special order for to-morrow, at 12 o'clock.

The report is as follows, to wit:

The minority of the Joint Select Committee, appointed by resolution, to enquire into and report upon the status of the present and last sitting of this General Assembly, beg leave to submit the following report:

By an ordinance of the Convention, ratified the 18th October, 1865, the General Assembly convened on the 4th Monday of November, 1865, and on the 18th December, by joint resolution, adjourned to the 1st Monday in February, 1866. The Governor of the State, by proclamation, convened the said General Assembly on the 18th day of January, 1866. The question presented is, whether the present sitting, so convened by the call of the Governor, is a new session of the General Assembly, or but a continuation of the former sitting, all constituting but one session of the General Assembly.

If the General Assembly, when once in session, continues in session until an adjournment without day, it would be difficult to find any authority for the Governor to call the present session, involving as it does the absurdity of convening a session of a body already in session, at the time of the call. Hence, we are driven to discard the old English theory, that a session has a legal existence beyond its setting, and to admit that the Governor had the rightful power to call the present session of the General Assembly, under the Revised Code, chapter 52, sections 25 and 26. But the Governor also derives his power to convene the Legislature from a higher source than the Revised Code. By the 19th section of the Constitution of the State, the Governor is invested "with all the executive powers of Government, limited and restrained as by this Constitution is mentioned." In the country from which we derive our notions of law and government, the

power to convene the legislature is inherent in the king, who is the executive branch of the government. Such, also, was the power of our colonial Governors, and it was with reference to this inherent executive power, that our political institutions were framed. The power to convene the General Assembly on occasions of "absolute necessity," is, therefore, inherent in the Governor, as well as expressly confined by the Constitution and laws thereunder. If there was no clause in the Revised Code, investing the Governor with power to convene the Legislature, could it be contended that he has no power, "in cases of absolute necessity," to do so under the Constitution? If then, the Governor has the constitutional right to convene the General Assembly, and he exercises that right, what is the status of that body so assembled? In England, Parliament assembles at the call of the King; in our country, the Legislature is first called into session at times fixed by the Constitution, and then by the Governor, under the authority of the Constitution, and without restriction of time. When Parliament assembles on the call of the sovereign, it constitutes the beginning of a session; when, under the Constitution, the Legislature is convened by the Governor, it must constitute the beginning of a session, both bodies alike being called in the exercise of a constitutional right.

But it is contended that the General Assembly, having adjourned from the 18th December to the 5th February, the call of that body by the Governor, in the interval of its meeting, is but the continuation of the same session begun on the 18th December. This position, it is believed, cannot be maintained. Suppose the General Assembly, by joint resolution, to adjourn from the 1st December to the 1st November, eleven months thereafter, and that the Governor should convene it on the 1st June, between the two periods, and that it should then adjourn without day, can it be pretended, in this case, that it would not convene on the 11th November, under the joint resolution? But if the called session was but a part and con-

tinuation of the adjourned session, the adjournment without day would terminate the session; thus showing that the session called by the Governor is a new and distinct session. This view is supported by authority.

The Parliament of Great Britain separates in three ways: 1st, by the adjournment of each House separately; 2d, by prorogation of the King, and 3d, by dissolution or expiration of the time for which they were elected. Adjournment by joint resolution is unknown there, each House having the power to sit upon its own adjournment only, and therefore such adjournment cannot terminate a session. In our country legislative bodies separate in two ways: by adjournment and by dissolution from efflux of time. We are apt to confound the English adjournment of each House, which cannot end a session, with the American adjournment by joint resolution, which appears to take the place of a prorogation which terminates the session. In England, prorogation by the King is the adjournment of Parliament, not *sine die*, but to a day certain, therein being precisely like our adjournment by joint resolution. As the one terminates the session, there seems no good reason why the other, which is but the substitute, does not have the same effect. Adjournment by joint resolution here, would be prorogation in England. We have American precedents in point. If the President convenes Congress, it is held this begins a *new session*, and determines the *preceding one to have been a session*. And it can make no difference whether Congress is convened after an adjournment *without day*, or after adjournment to a day certain and before that day; for the holding makes no exception, and neither reason nor analogy can make a distinction. If the Governor convenes the General Assembly in a constitutional mode, it is as much a session as if it meets at the time fixed by the Constitution, which certainly begins a session.

There can be no difficulty in ascertaining what is the *beginning* of a session. *Cushing*, in his work on this subject,

holds thus: "In order to determine what kind of a meeting of a legislative assembly in this country will constitute a session, it seems necessary to consider its commencement, its proceedings, and its termination. In regard to its *commencement*, there can be no doubt when an assembly comes together, at the time required by law, for the commencement of the regular session; or, in pursuance of an *executive proclamation*, for an extraordinary session; or, in pursuance of an adjournment by both branches, for the purpose of closing one session and commencing another; that, in all these cases, there is the commencement of a session." If, therefore, a session of the General Assembly commenced on the 18th January, the preceding session had, or was then, terminated, else there would now be two sessions of the same General Assembly at the same time, which is absurd.

What constitutes the *termination* of a session is a question of more difficulty, and is one rather of fact than of law. A positive declaration of such purpose, circumstances equivalent thereto, and common usage and understanding will terminate a session. The General Assembly can establish what is a session by a declaration, or by its own usages, and can, by joint resolution, regulate the order of business of a succeeding adjourned session.

We have precedents in point in our own legislative history. On the 17th December, 1862, the General Assembly passed this joint resolution:

"*Resolved*, That the Speakers of the two Houses of this General Assembly close the present session thereof on Monday morning, the 22d instant, 5 o'clock, A. M., by adjourning their respective houses until 11 o'clock, A. M., Monday, the 19th January next."

This is a case where the session was expressly closed and another session appointed.

On the 20th December, 1862, the following joint resolution was passed:

"*Resolved*, That after the 3d day of any succeeding session of the present General Assembly, the bills, resolutions, reports and other business pending at the time of the next preceding session, shall be taken up in their regular order, as if there had been no adjournment."

This is a case where, although the session terminated two days thereafter, yet the business did not fall through, as in the English Parliament, but was adjourned over to the next session.

The journals of the many adjourned sessions held in the years 1863 and '64 will show that they opened by mutual messages, informing their respective houses of their organization, and by sending joint committee to wait upon the Governor and inform him of their organization and readiness to receive his communications. So they closed by resolutions of thanks to the Speakers, making extra allowances to officers, claiming mileage as on adjournment *sine die*.

The ceremonies used at the opening and close of these adjourned sessions were just such as were observed at the opening of the regular sessions and their adjournment *sine die*, all clearly indicating the fact as well as the intent and purpose to begin and terminate a session.

To come to the present time: On the 18th December last, the General Assembly passed the following resolution:

"*Resolved*, the Senate concurring, That the unfinished business depending in the two Houses of the General Assembly at the adjournment ordered by their joint action, on Monday next, shall be continued over the recess and resumed at the next meeting of the same."

This resolution was passed after the adjournment ordered, and had reference thereto. It would, therefore, be a clear violation of the spirit and intent of the resolution to take up at this session the business of the last, which is adjourned to the session beginning on the 5th of February. This resolution is cited to show that it was the intent of the Legislature to close its session on the 22d December, but to save the business from

falling through, which would have followed, in the absence of such resolution.

In arriving at the foregoing conclusions, we only sustain the action of our State government, our magistrates, judicial and municipal, public opinion, and the legislation of this General Assembly in ratifying and legalizing the acts and proceedings of all the officers of the State, whose functions were supposed to have ceased with the close of the last session of this General Assembly.

As the result of this enquiry, the minority of the committee beg leave to submit the following joint resolutions which are recommended to be adopted by the General Assembly.

All of which is respectfully submitted.

W. P. BYNUM.

RESOLUTIONS OF THE MINORITY OF COMMITTEE TO ENQUIRE INTO AND REPORT UPON THE STATUS OF THE PRESENT SESSION OF THE GENERAL ASSEMBLY, AND FOR OTHER PURPOSES.

1. *Resolved by this General Assembly, the House of Commons concurring,* That the sitting of this General Assembly, which began on the 9th day of November, 1865, and terminated by adjournment on the 22d December, 1865, constitutes, and is hereby declared to be, one session of this General Assembly.

2. *Resolved,* That the sitting of this General Assembly, convened by the proclamation of the Governor on the 18th January, 1866, constitutes, and is hereby declared to be, one session of the General Assembly.

3. *Resolved,* That the present session of the General Assembly be brought to a close on the third day of February, 1866, by adjournment, to meet again on the 5th day of February, 1866.

4. *Resolved,* That the unfinished business depending in the two Houses of the General Assembly on the adjournment at the close of the present session, shall be continued over and resumed at the next session, which is to meet on the 5th day of February, 1866, as if there had been no adjournment.

Mr. Arendell introduced the following resolution, viz:

Resolved, That a message be sent to the House of Commons, proposing to raise a Joint Select Committee of three on the part of the Senate and five on the part of the House of Commons, whose duty it shall be to prepare and report a bill to consolidate the North-Carolina Railroad and the Atlantic & North-Carolina Railroad, should they deem such consolidation advantageous to the State. Adopted.

Bills, &c., of the titles following were introduced, passed the first reading, referred, or otherwise disposed of as follows, to wit:

By Mr. Gash: A resolution (S. R. 89,) to furnish Revised Code to Clerks,

On motion of Mr. Gash,

The rules were suspended, and the bill placed on its passage.

Mr. Latham moved to amend, by adding another resolution, as follows, to wit:

"*And be it resolved*, That the different acts of the General Assembly, since the adoption of the Revised Code, be also furnished to the officers above named, and also to the sheriffs who have never been supplied with the same, or who now have them not: *Provided*, such acts be on hand."

And it was adopted.

The bill, as amended, passed its several readings.

Ordered, To be engrossed.

By Mr. McKoy: A bill (S. P. 37,) to amend the Act of incorporation of the town of Clinton, in Sampson county. Filed.

By Mr. Gash: A bill (S. 91,) to prevent the carrying of pistols in this State without license. Referred to the Committee on the Judiciary.

From the House: Resolutions (H. R. 121,) authorizing certain proceedings against "The Cape Fear Navigation Company." Referred to the Committee on the Judiciary.

Mr. Leitch, of Robeson, introduced a resolution instructing

the Committee on the Judiciary to consider the provisions of "An Act concerning the Statute of Limitations," ratified the 10th day of January, 1863, with a view to ascertain whether the same ever had any force or effect, and, if so, whether or not the provisions of the Act are yet in force; and, if not, to indicate the day when it ceased to operate, and report by bill or otherwise.

Adopted.

On motion of Mr. Garner,

The rules were suspended, and the resolution (S. R. 88,) concerning the Public Square, passed its several readings.

Ordered, To be engrossed.

On motion of Mr. Jones, of Wake,

The rules were suspended, and the resolution (S. P. 36,) in favor of Drury King, passed its several readings.

Ordered, To be engrossed.

A message was received from the House of Commons, transmitting a message from his Excellency, the Governor, in relation to property claimed by the State, which is also claimed by individuals, with a proposition to refer it to the Committee on Finance.

Concurred in.

Also transmitting additional names as Justices of the Peace for Edgecombe county, which were agreed to and sent to the Governor to be commissioned.

Bills of the titles following being read the second time were disposed of as follows, to wit:

S. 55, bill making provision for the payment of interest on State Bonds now due.

On motion of Mr. Morehead,

Made the special order for Tuesday next at 12 o'clock.

S. 56, bill directing coupons of the bonds of the State to be received in payment of State taxes.

On motion o Mr. Berry,

Laid on the table.

On motion of Mr. Garner,

The Senate adjourned until 11 o'clock to-morrow.

FRIDAY, February, 2, 1866.

Prayer by the Rev. A. Smedes, D. D.

Reports from standing committees were submitted and received, as follows, to wit:

By Mr. Wiggins, from the Committee on Finance: S. 86, bill to repeal that part of section 2, chapter 68, Revised Code, which relates to bonds on marriage licenses, asking to be discharged from its further consideration, and its reference to the Committee on the Judiciary.

So ordered.

By Mr. Winstead, from the Committee on Propositions and Grievances: S. 60, bill to establish a Penitentiary and Work Houses, with a recommendation that it do not pass.

By Mr. Bynum, from the Committee on Finance: S. 91, bill to prevent the carrying of pistols in this State without license, asking to be discharged from its further consideration, as the bill involves a question of public policy rather than of finance.

Discharged accordingly.

By Mr. Leach of Davidson, from the committee on Banks and Currency: S. 74, bill for the relief of the people, by authorizing the Banks of the State to subscribe for stock in the National Banks, with recommendation that the same do pass.

On motion of Mr. Wiggins,

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

Mr. Howard moved that the vote, by which the Senate rejected the bill (H. P. 22,) to authorize the Mayor and Commissioners of Fayetteville to issue certificates of indebtedness

and appoint assessors of taxables, be reconsidered, and the motion prevailed.

Received a message from the House of Commons, concurring in the proposition to go forthwith into an election for two Trustees of the University, and the Senate, in accordance therewith, under the superintendence of Messrs. Keener and McEachern, proceeded to ballot.

Received a message from the House, transmitting a message from the Governor, covering a memorial of the Trustees of the University, with a proposition to print and refer to the Committee on Finance.

The Senate concurred.

The message also covered a communication from Rev. Dr. Curtis, assistant to Prof. Emmons, late State Geologist, in reference to printing certain reports. The Senate concurred also in the proposition to print and refer to the Committee on Finance.

The House, by message, recommended additional appointments of Justices of the Peace for Tyrrell county, in which the Senate concurred, and ordered them to be transmitted to the Governor for commission.

Bills, &c., of the titles following were read the first time, referred, filed or otherwise disposed of, as follows, to wit:

By Mr. Morehead: A bill (S. 92,) giving original jurisdiction to the Supreme Court in certain cases. Referred to the Committee on the Judiciary.

From the House: Engrossed resolution (H. R. 48,) making appropriation for the Lunatic Asylum.

From the House: Engrossed bill (H. 118,) to amend an Act, entitled "An Act to incorporate the Macon County Turnpike Company," passed at the session of 1856–'57. Referred to the Committee on Cherokee Lands and Western Turnpikes.

From the House: Engrossed bill (H. 119,) to protect the culture of the grape and other fruits.

From the House: Engrossed resolutions (H. R. 122,) to ap-

point Commissioners on the condition of the Albemarle and Chesapeake Canal Company.

The hour of 12 o'clock having arrived, the Speaker announced the special order, to wit: The majority and minority reports (S. R. 97,) from the committee to enquire into and report upon the *status* of the present session of the General Assembly.

The question being upon the motion to strike out the resolutions reported by the majority of the Committee, and substitute the report of the minority,

Mr. Leach, of Davidson, called for a division of the question.

The question being upon the motion to strike out, was put and carried.

The resolutions of the minority were then read *seriatim*, on motion of Mr. Howard.

Mr. Howard moved to amend the first resolution by inserting after the word "*declared*" the words, "*and was so intended*," which was accepted.

The other resolutions were adopted without amendment.

The question now recurring upon the adoption of the resolutions as amended, was put and decided in the affirmative.

On motion of Mr. Bynum,

The rules were suspended, and the resolutions passed their third reading.

Ordered, To be engrossed.

Mr. Keener, from the Committee to superintend the election for two Trustees of the University, submitted a report as follows, viz:

Whole number of votes cast 149. Necessary to a choice 75. Of which W. A. Jenkins received 71 votes; J. H. Hyman 67; J. F. Hoke 51; W. P. Bynum 40; J. H. Haughton 26; Alex. Wilson 8; T. M. Jones 8; for all others 18. No one having received a majority of all the votes cast, there was no election.

The report was concurred in.

On motion of Mr. Leach, of Davidson,

The Senate adjourned until to-morrow at 11 o'clock.

SATURDAY, February 3, 1865.

Mr. Garner offered additional names as Justices of the Peace for Northampton county, which were recommended and sent to the House of Commons for concurrence.

Mr. Jones of Columbus, from the Joint Select Committee on Banks and Banking, to whom was referred so much of the Governor's Message as relates to Banks and Banking, and the resolutions enquiring into the condition of the Banks of the State, reported that in the opinion of the committee, the charter of the Banks had expired, and the legislature cannot interfere, it being a subject for the Judiciary.

The report was ordered to be printed.

On motion of Mr. Gash,

Resolved, That the Committee on Finance be instructed to make provision for the collection of the taxes laid by the late Convention in the several counties, where no person filed bonds, or no taxes have been collected, as well as where the taxes have only been partially collected, by giving further time for the same, or authorizing and requiring the present or succeeding sheriffs to make said collections; and that they report by bill or otherwise.

On motion of Mr. Gash,

Resolved, That the Committee on Swamp Lands be instructed to inquire whether the swamp lands belonging to the State are being trespassed upon, and whether there are not valuable portions of them likely to be lost to the State by a limititation of an actual possession: whether any legislation is necessary to protect the interests of the State in these lands, and report by bill or otherwise.

Bills of the titles following were introduced, read the first time, filed or referred, as follows, viz:

By Mr. Shober: A bill (S. 98,) for the benefit of the Public Schools of the State. Referred to the Committee on Education and Literary Fund.

By Mr. Sanders: A bill (S. P. 38,) to extend the limits of the town of Swansboro', Onslow county, and for other purposes. Referred to the Committee on Corporations.

From the House: Engrossed bill (H. 110,) to repeal the 6th chapter of an act of the General Assembly, passed on the 6th day of July, 1863.

From the House: A bill (H. 113,) to incorporate the North-Carolina Immigration Company.

A message was received from the House of Commons, transmitting recommendations for Justices of the Peace for the county of Washington, which were agreed to.

Messrs. Latham and Boner nominated additional names as Justices of the Peace for the counties of Washington and Forsythe, respectively, which were recommended and transmitted to the House for concurrence.

Bills, &c., of the titles following, being read the second time, passed, filed or otherwise disposed of, and other proceeding were had, as follows:

H. 28, engrossed bill to authorize a Court of Pleas and Quarter Sessions for the county of Cabarrus.

On motion of Mr. McEachern,

The rules were suspended and the bill passed its several readings.

Ordered, To be enrolled.

H. R. 122, engrossed resolutions to appoint Commissioners on the condition of the Albemarle and Chesapeake Canal Company.

On motion of Mr. Ferebee,

The rules were suspended and the resolutions passed their several readings.

Ordered, To be enrolled.

S. P. 37, bill to amend the act of incorporation of the town of Clinton, in Sampson county.

On motion of Mr. McKoy,

The rules were suspended and the bill passed its several readings.

Ordered, To be engrossed.

S. 60, bill to establish a Penitentiary and Work Houses.

On motion of Mr. Howard,

Laid on the table.

S. 71, bill in relation to constables and other officers.

Mr. Gash moved to amend by adding another section, as follows: "*Be it further enacted*, That all constables and other officers, hereafter, shall be allowed, in addition to present fees allowed by law, two and one-half per cent. commissions on all sums they may collect on judgments and executions issued by a Justice of the Peace, in the same manner as other costs."

Mr. Garner moved to amend the amendment by striking out the words "*judgments and*," and the motion did not prevail.

The question recurring upon the motion to amend, was put and decided in the negative.

The bill then passed its second reading and was filed.

H. 64, bill to prohibit for a limited time, the distillation of spirituous liquors from grain. Made the special order for Wednesday, 7th February, at 12 o'clock.

S. 74, bill for the relief of the people, authorizing the Banks of the State to subscribe for stock in the National Banks. Made the special order for Thursday, 8th of February, at 12 o'clock.

S. 78, bill concerning the North-Carolina Institution for the Deaf, Dumb and the Blind.

On motion of Mr. Arendell,

The rules were suspended, and the bill passed its second

reading, and pending its third reading, it was made the special order for Monday, February 5th, at 12 o'clock.

S. 79, bill to secure taxes on distillation of spirituous liquors. Postponed until Wednesday, 8th February.

S. 82, bill to amend an act, entitled "An Act for the relief of landlords."

The question being on the amendment offered by the committee on the Judiciary, as follows: Strike out all after the enacting clause, and add the following sections:

"Sec. 6th. That the provisions of said act shall be construed to include tenants from year to year, where three months previous notice has been given to such tenants before the expiration of the year.

Sec. 7th. That the sheriffs and jurors summoned under the provisions of said act, shall be entitled to the same compensation, as is now allowed by law for like services and attendance in the county court, to be taxed in the bill of costs."

Mr. Howard moved to indefinitely postpone the bill, and the question being thereon, was put, and

Decided in the negative, { Yeas, ... 9, Nays, ... 27.

On motion of Mr. Wilson,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Aycock, Boyd, Hall, Howard, Leach of Davidson, Leitch of Robeson, McEachern, McKoy and Wilson.

Those who voted in the negative are,

Messrs. Berry, Black, Blount, Bogle, Bullock, Bynum, Covington, Coward, Cowles, Cowper, Eure, Ferebee, Garner, Gash, Gorrell, Harris of Rutherford, Isbell, Keener, Latham, McCleese, McLean, Morehead, Pitchford, Sanders, Shober, Whitford and Winstead.

Mr. Morehead moved to amend by striking out section 7, of the amendment offered by the committee, and it was adopted.

Mr. Morehead moved to add to section 6th, the following

words, "*and also to all other persons who shall enter and possess real estate without color of title*," and the motion prevailed.

On motion of Mr. Hall,

The amendment, carrying with it the bill, was laid on the table, there being counted ayes 17, noes 16.

S. 91, bill to prevent the carrying of pistols in this State without license. Referred to the Committee on the Judiciary.

Bills of the titles following being read the third time, passed and were ordered as follows:

H. P. 29, bill to legalize the election of Mayor and Commissioners in the town of Morganton.

Ordered, To be enrolled.

H. P. 36, bill to incorporate "The Portis Gold Mining Company," in the county of Franklin.

Ordered, to be enrolled.

H. P. 33, bill to incorporate the town of "Company Shops," in the county of Alamance.

Ordered, To be enrolled.

H. P. 39, bill to incorporate "Dillwood Cemetery" in the county of Guilford.

Ordered, To be enrolled.

H. P. 22, bill to authorize the Mayor and Commissioners of Fayetteville to issue certificates of indebtedness, and appoint assessors of taxables.

Mr. Howard moved to amend as follows:

1st. Strike out 1st section.

2nd. In 2nd section strike out the words "*said town*" and insert "*town of Fayetteville*."

3rd. In 2nd section strike out the words "*have heretofore assessed*" and insert "*asses*."

4th. Add the following section: "*Be it enacted*, That this Act shall be in force from and after its passage."

The amendments were severally adopted.

Mr. Howard moved that the title of the bill be amended so

as to read "A bill to amend the Charter of the town of Fayetteville," and it was so amended.

Ordered, To be sent to the House of Commons for concurrence.

On motion of Mr. Leach, of Davidson,

The vote by which the Senate postponed the bill (S. 78,) concerning the North Carolina Institution for the Deaf and Dumb and the Blind until Monday next, was re-considered, and the bill passed its third reading.

Ordered, To be engrossed.

On motion of Mr. Leach, of Davidson,

The Senate took a recess until 7 o'clock P. M.

Seven o'clock, P. M.

Mr. Keener, by permission, introduced a bill (S. 101,) to perpetuate the peace of our Country, which was read and filed.

A message was received from the House of Commons, transmitting messages from the Governor, covering report of the Albemarle and Chesapeake Canal Company, and a communication from W. J. Palmer, Principal, &c., asking directions as to the disposition of certain books belonging to the State, with a proposition to print.

On motion of Mr. Howard,

Laid on the table.

On motion of Mr. Bynum,

Resolved, That a Joint Select Committee of two on the part of the Senate, and three on the part of the House of Commons, be appointed to examine the books printed for the State, at the Deaf and Dumb and the Blind Institution, and report what disposition should be made of them.

On motion of Mr. Wilson,

The vote by which the Senate ordered the report of the

Joint Select Committee on Banks and Banking, submitted this morning, to be printed, was re-considered, and referred to the Judiciary Committee.

Bills, &c., of the titles following being read the second time, were disposed of as follows:

H. R. 48, resolution making appropriation for the Lunatic Asylum. Laid on the table.

H. 119, bill to protect the culture of the grape and other fruits. Rejected.

The following bill was read the third time and passed, viz:

H. 80, bill to amend Chapter 101, Section 9, of the Revised Code, entitled "Roads, Ferries and Bridges."

Ordered, To be enrolled.

On motion of Mr. McKoy,

H. P. 35, bill to incorporate the "Ministers' Relief Society" for the Eastern Baptist Association, was taken from the table and passed its several readings.

Ordered, To be enrolled.

Received a message from the House of Commons, informing the Senate that the House had passed the resolutions concerning the *status* of the present session of the General Assembly, with the following amendments:

In the first resolution strike out the words "*and was so intended.*"

In the second resolution substitute the words "*a session*" for the words "*one session.*"

Strike out the last two resolutions, and insert, in lieu thereof, the following:

"*Resolved*, That so much of the joint resolution of the first session of this General Assembly, ratified on the 7th day of December, 1865, as requires the General Assembly to meet again on the 5th day of February, is hereby rescinded."

In which they ask the concurrence of the Senate.

Mr. Bynum moved to amend the amendments by adding the following resolution:

"*Resolved*, That all the unfinished business of the last session, which was continued over the recess, be resumed on the 5th day of February as on an adjournment from day to day."

The motion prevailed, and, as amended, the amendments of the House were concurred in, and transmitted to that body for concurrence in the Senate amendment.

Received a message from the House of Commons, informing the Senate that they had passed the following additional resolution to the series defining the *status* of the present session of the General Assembly, in lieu of the amendments proposed by the Senate:

"*Resolved*, That the unfinished business of the last session of this General Assembly, which adjourned on the 18th of December, 1865, has been properly resumed at this session of the General Assembly, and that the General Assembly now in session shall be, and it is hereby declared to be, fully competent to the completion of all business that would have devolved on it at the adjourned session intended to commence the 5th day of February inst."

In which the Senate concurred.

On motion of Mr. Arendell,

The Senate adjourned until 11 o'clock, Monday.

MONDAY, February 5, 1866.

Prayer by the Rev. J. M. Atkinson.

The Speaker designated Messrs. Cowles, Cowper and Ferebee as the Committee on Enrolled Bills for the week.

Mr. McKoy was placed on the Committee on Privileges and Elections and on Agriculture, in place of Thomas I. Faison, deceased.

Mr. Ferebee presented a memorial from the President and Directors of the Dismal Swamp Canal Company, praying for a confirmation by the General Assembly of the Act of Vir-

ginia of January 23d, 1810, increasing the tolls of the same, asking that it be transferred to the House of Commons, with a proposition to refer to the Committee on Finance, to report by bill or otherwise.

So ordered.

Mr. Howard, from the Committee on the Judiciary, reported back the bill (S. 86,) to repeal that part of section 2, chapter 68, Revised Code, which relates to bonds on marriage licenses, with the recommendation that the same do pass.

Bills, &c., of the titles following were introduced, passed their first reading, referred, or otherwise disposed of, as follows, to wit:

By Mr. Boner: A bill (S. P. 39,) to prevent the sale of spirituous liquors in the town of Salem, Forsythe county. Referred to the Committee on the Judiciary.

By Mr. Morehead: A bill (S. 102,) to outlaw felons, who flee from justice. Referred to the Committee on the Judiciary.

By Mr. Gash: A bill (S. P. 40,) to incorporate the Transylvania Institute. Referred to the Committee on Education and the Literary Fund.

By Mr. Covington: A bill, (S. 103,) to authorize the Wardens of the Poor to seize and sell the property of paupers who are admitted to the Poor Houses of their respective counties. To the Judiciary.

From the House: Engrossed bill (H. 100,) to amend the 12th section of the 118th chapter of the Revised Code. Filed.

From the House: Engrossed bill (H. 126,) to amend an act, entitled "An act for the better regulation of the town of Greenville, and to increase the powers of the Commissioners of said town." Filed.

From the House: Engrossed bill (H. P. 47,) supplemental of and amendatory of an act to re-organize the corporation governments of the City and Academy of New-Berne, passed at this General Assembly.

On motion of Mr. Whitford,

The rules were suspended, and the bill passed it several readings.

Ordered, To be enrolled.

By Mr. Hall: A bill (S. P. 43,) for the benefit of the Firemen of the town of Wilmington.

On motion of Mr. Hall,

The rules were suspended, and the bill passed its several readings.

Ordered, To be engrossed.

A message was received from the House of Commons, transmitting the names of sundry persons recommended for Justices of the Peace for the counties of Harnett, Davidson, Caswell, Stanly, Sampson, Randolph and Yadkin.

Those for Caswell were laid on the table.

Those for Yadkin were indefinitely postponed, and the others were concurred in.

A message was received from the House of Commons, proposing to go forthwith into an election for two Trustees of the University.

On motion of Mr. Leitch of Robeson,

It was laid on the table.

A further message was received, stating that the House had concurred in the amendments to the bill (H. P. 22,) to authorize the Mayor and Commissioners of Fayetteville to issue certificates of indebtedness, and appoint assessors of taxables.

Ordered, To be enrolled.

Mr. Cowles presented additional names for Justices of the Peace for the county of Watauga.

Recommended, and transmitted to the House.

A message was received from the House of Commons, transmitting a message from his Excellency, the Governor, enclosing the resignation of W. W. Lenoir, as Councillor of State, also a message in relation to the Cherokee Indians within the State.

On motion of Mr. Keener,

Ordered, That a message be sent to the House of Commons, proposing to raise a Joint Select Committee of two on the part of the Senate and three on the part of the House, to whom shall be referred the message of the Governor in relation to the Cherokee Indians.

The Senate concurred in the additional names transmitted from the House, as recommended for Justices of the Peace for Wilson county.

Bills, &c., of the the titles following being read the second time, were referred, or otherwise disposed of, as follows, viz:

S. 3, bill to amend chapter 33d of the Revised Code. Referred to the Committee on the Judiciary.

S. 20, bill to amend an act passed at the session of 1848–'9, to provide for a Turnpike Road from Salisbury, West, (generally known as the Western Turnpike Road.) to the Georgia line, &c. To the Committee on Cherokee Lands and Western Turnpikes.

H. P. 20, Engrossed bill to amend an act passed at the session of 1850–'51, and amended at the sessions of 1854–'55 and 1858–'59, entitled "An act to incorporate the Tuckasegee and Keowee Turnpike Company. To the Committee on Cherokee Lands and Western Turnpikes.

S. 26, bill to repeal section 3d of an ordinance of the Convention to raise revenue. Laid on the table.

S. 27, bill to enable sheriffs to collect arrearages of taxes. Laid on the table.

S. 28, bill to repeal section 3d, chapter 39, of an act passed at the first session of 1860–'61, entitled "An act to diminish costs in Equity sales for partition." Referred to the Judiciary.

S. 43, bill to be entitled "An act to establish a scale of depreciation of Confederate currency." Re-committed to the Committee on the Depreciation of Confederate Currency.

H. 31, engrossed bill to extend the time for registering deeds and other conveyances. Filed for third reading.

S. 47, bill to amend an act entitled "An act to incorporate the Western North-Carolina Railroad Company." Made the special order for Friday, 10th of February, at 12 o'clock.

H. 53, bill to legalize certain proceedings of the Provisional Justices for Randolph county. Passed second reading and filed.

S. 49, resolution in aid of sheriffs in making their tax returns. Laid on the table.

H. 56, engrossed bill to declare valid certain elections and acts since May 20th, 1861. Referred to the Judiciary.

On motion of Mr. Gorrell,

Leave of absence was granted to Mr. Black, until Wednesdry next.

On motion of Mr. Ferebee,

The Senate adjourned until to-morrow, at 11 o'clock.

TUESDAY, February 30, 1865.

Prayer by the Rev. N. B. Cobb.

Reports from Standing Committees were submitted and received as follows, to wit:

By Mr. Ferebee, from the committee on Education and Literary Fund:

S. P. 40, bill to incorporate Transylvania Institute, with an amendment, recommending its passage.

By Mr. Morehead, from the Committee on the Judiciary.

S. 102, bill to outlaw felons, who flee from justice, recommending its passage.

S. P. 39, bill to prevent the sale of spirituous liquors in the town of Salem, Forsythe county, with the recommendation that it do pass.

By Mr. Wilson, from the same committee: S. 103, bill to authorize the Wardens of the Poor to seize and sell the property of paupers, who are admitted to the poor houses of their

respective counties, with a substitute therefor, recommending the passage of the substitute.

By Mr. Latham, from the Committee on Corporations:

S. P. 38, bill to extend the limits of the town of Swansboro', Onslow county, and for other purposes, with a recommendation that it do pass.

By Mr. Gash, from the Committee on Cherokee Lands and Western Turnpikes:

S. 20, bill to amend an act passed at the session of 1848–'49, to provide for a turnpike road from Salisbury, west to the lines of the States of Georgia and Tennessee, (generally known as the Western Turnpike Road,) with the recommendation that it do not pass.

H. P. 20, bill to amend an act passed at the session of 1850–'51, and amended at the sessions of 1854–'55 and 1858–'59, entitled "An Act to incorporate the Tuckasegee and Keowee Turnpike Company, with amendments, recommending its passage.

H. 118, bill to amend an act entitled "An Act to incorporate the Macon County Turnpike Company," passed at the session of 1856–'57, with an amendment, with recommendation that it do pass.

Received a message from the House of Commons concurring in the proposition to refer the message of the Governor, relative to the Cherokee Indians to a Joint Select Committee, and that Messrs. Wilson, Crawford and Dickey would constitute the House branch of said committee.

The Speaker designated Messrs. Keener and Gash as the Senate branch thereof.

Received a message from the House, recommending additional names for Justices of the Peace for the counties of Jackson, Yancey, Mitchell and Alamance, in which the Senate concurred.

Messrs. Leach, of Davidson, Bogle and Eure nominated additional names as Justices of the Peace for the counties of

Cumberland, Iredell and Gates, respectively, which were agreed to and transmitted to the House.

Mr. Whitford introduced a bill: S. P. 44, to incorporate the Carolina Joint Stock and Insurance Company. Referred to the Committee on Corporations.

Bills, &c., of the titles following were read the third time, and disposed of as follows, viz:

H. 31, engrossed bill to extend the time for registering deeds and other conveyances. Passed.

Ordered, To be enrolled.

H. 53, engrossed bill to legalize certain proceedings of the Provisional Justices for Randolph county. Referred to the Committee on the Judiciary.

Bills, &c., of the titles following were read the second time, referred, or otherwise disposed of, as follows, to wit:

H. 17, engrossed bill to regulate the terms of the Supreme Court and for other purposes. Referred to the Judiciary.

H. 19, engrossed bill to prevent the discontinuance of causes in certain cases. To the Judiciary.

H. 54, engrossed bill to repeal 10th section, 12th chapter of the Acts of the General Assembly, passed at its second extra session in the year 1861. To the Judiciary.

S. 71, bill in relation to Constables and other officers. Passed.

On motion of Mr. Gash,

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

Ordered, To be engrossed.

S. 86, bill to repeal that part of Section 2, Chapter 68, Revised Code, which relates to bonds on marriage licenses. Rejected.

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

S. 55, bill making provision for the payment of the interest on State Bonds now due.

Mr. Berry moved to strike out in the first section, seventh and eighth lines, the words "two and one half" and insert "three." Adopted.

Mr. Berry moved to strike out in second section, third line, the figures "1868" and insert "1870." Adopted.

Mr. Morehead moved to strike out in the second section, fourth line, the word "six" and insert the words "one fourth of one."

A message was received from the House of Commons, proposing to go forthwith into an election for two Trustees of the University, in which the Senate concurred, and a ballot was had under the superintendence of Messrs. Williams and Gash.

Mr. Williams subsequently reported as follows, viz:

Whole number of votes cast was 134. Necessary to a choice 68. Of which W. A. Jenkins received 68; W. P. Bynum 60; J. H. Hyman 60; J. F. Hoke 52; J. H. Haughton 11; for all others 13. Mr. Jenkins, having received a majority of the whole number, was duly elected.

The report was concurred in.

The question now recurring upon the amendment of Mr. Morehead,

Mr. Wiggins moved that the Senate adjourn until 10 o'clock to-morrow.

Mr. Whitford moved, by way of amendment, that the Senate adjourn until 11 o'clock, and the motion prevailed.

Whereupon the Speaker declared the body adjourned until to-morrow at 11 o'clock.

WEDNESDAY, FEBRUARY 7, 1866.

Prayer by the Rev. Thompson Bird.

D. M. Carter, Senator elect from the county of Beaufort, being the 12th Senatorial District, in place of E. J. Warren,

resigned, presented his credentials and was qualified according to law.

Reports from Standing Committees were submitted and received, as follows, viz:

By Mr. Latham, from the Committee on Corporations:

S. P. 44, bill to incorporate the Carolina Joint Stock Insurance and Trust Company, with the recommendation that it do pass.

By Mr. Morehead, from the Committee on the Judiciary:

H. 17, engrossed bill to regulate the terms of the Supreme Court and for other purposes, recommending its passage.

By Mr. Howard, from the same: H. 56, engrossed bill to declare valid certain elections and acts, since May 20th, 1861, with the pending amendment, recommending the adoption of the amendment, and that the bill do not pass.

H. 54, engrossed bill to repeal the twelfth section of the tenth chapter of the acts of the General Assembly, passed at its second extra session in the year 1861, recommending its passage.

S. 91, bill to prevent the carrying of Pistols in this State without license, recommending its rejection.

Mr. Morehead introduced the following resolution, viz:

Resolved, That a message be sent to the House of Commons, proposing to raise a Joint Select Committee of two on the part of the Senate, and three on the part of the Commons, to inquire into the expediency of having a part or all the State printing and binding done at the printing office and bindery belonging to the State in the Asylum for the Deaf, Dumb and the Blind.

Adopted.

Mr. McKoy introduced the following preamble and resolution, to wit:

Whereas, The increase of crime in the country demands the utmost vigilance in order for its suppression and prevention, and there being no more certain and effectual way than to

have the guardians of the public peace ever on the alert for its detection and punishment:

Therefore, be it resolved, That the Judiciary committee be instructed to inquire into the expediency of so amending the law as to require that Grand Jurors shall be drawn, empannelled and charged at one term to serve at the next term of our courts; and that said Grand Jurors shall be bound to take notice of all offences committed; which may come to their knowledge, committee to report by bill or otherwise.

Adopted.

On motion of Mr. Howard,

Resolved, That a message be sent to the House of Commons, proposing to raise a Joint Select Committee of two on the part of the Senate, and three on the part of the House, to take into consideration the propriety of removing the books, papers, &c., belonging to the Adjutant General, Quartermaster General and Commissary Departments of North-Carolina from the office of Secretary of State, to the room in the Capitol lately used by the State Geologist.

Received a message from the House of Commons, proposing to go forthwith into an election for one Counsellor of State in place of W. W. Lenoir, resigned.

Messrs. James T. Morehead, Jr., G. W. Logan, Giles Mebane, Tyre Glenn, N. A. McLean, Joseph Davis, John A. McLeod, J. C. McDowell, C. M. Stedman, R. F. Simonton and R. P. Dick are in nomination in the House.

The Senate refused to concur.

Additional nominations for Justices of the Peace for the county of Cherokee, transmitted from the House, were agreed to.

Messrs. Wiggins, Snead and Stanford made nominations for additional Justices of the Peace for the counties of Halifax, Johnston and Duplin, respectively, which were agreed to and transmitted to the House.

The House of Commons, by message, concurred in the re-

commendations for Justices of the Peace, for the counties of Cumberland, Gates and Iredell.

Bills, &c., of the titles following being introduced, were referred or filed, as follows, viz:

By Mr. Whitford: A bill (S. 105,) to amend "An Act for the relief of Landlords." Referred to the Committee on the Judiciary.

From the House: Engrossed bill (H. 77,) to restore jury trials in criminal cases to the Courts of Pleas and Quarter Sessions of the State. Filed.

Engrossed bill (H. 108,) to charter "The High Shoals Railroad Company." Filed.

Engrossed resolution (H. R. 141,) defining the duty of the Governor with regard to the distribution of an act passed by this General Assembly, &c. Filed.

The consideration of the bill (S. 55,) making provision for the payment of interest on State bonds now due, was resumed as the unfinished business.

The question being on the amendment of Mr. Morehead, to strike out, in section first, line fourth, the word "*six*," and insert the words "*one fourth of one*," which was put and decided in the affirmative.

Mr. Berry moved to strike out in the second section, eleventh and twelfth lines, the words "*seven hundred and fifty*," and insert the words "*eight hundred*," and in the twelfth line, strike out the word "*five*," and insert the word "*six*," and in the thirteenth line strike out the word "*three*," and insert the word "*five*," and they were severally adopted.

Mr. Jones, of Wake, moved to amend the fourth section by adding the following proviso:

"*Provided*, That past due bonds of the State which remain unpaid, shall bear the same rate of interest from the time when they are due, payable at the same time and place as the original bonds, until said bonds shall be paid, and the said interest shall be paid by Treasury notes as above provided."

Adopted.

Mr. Wiggins moved to strike out, in the fifth section, all after the words "*respective counties*," in the fourth line.

Adopted.

Mr. Berry moved to amend by inserting in the sixth section, third line, after the word "*time*," the words "*after the first day of January, A. D.*, 1870."

Adopted.

Mr. Berry moved to amend by striking out in the seventh section, eleventh line, the words "*two and one-half*," and insert the word "*three*."

Adopted.

The Speaker announced the hour for the special order, to wit: The bill (H. 64,) to prohibit, for a limited time, the distillation of spirituous liquors from grain.

The question being upon the amendment of the Judiciary committee to strike out in the first section the words "*fifteenth day of February*," and insert the words "*first day of March*."

And the question thereon was put, and

Decided in the negative, { Yeas, ... 20. Nays, ... 22.

On motion of Mr. Bogle,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Bogle, Boyd, Bullock, Cowles, Cowper, Ferebee, Garner, Gash, Gorrell, Harris, of Franklin, Harris, of Rutherford, Isbell, Leach, of Davidson, McCleese, Morgan, Pitchford, Tayloe, Wiggins, Williams and Winstead.

Those who voted in the negative are:

Messrs. Berry, Black, Blount, Boner, Bynum, Covington, Coward, Eure, Hall, Howard, Jones, of Wake, Keener, Latham, Leitch, of Robeson, McEachern, McKoy, McLean, Morehead, Sanders, Snead, Stanford and Wilson.

Mr. Williams moved to strike out the words "*first of March*" and insert the words "*tenth of March*," and the amend-

ment prevailed, and, as amended, the first amendment of the Committee was adopted.

Mr. Latham moved to strike out in the first section, sixth line, the word "*or*," and insert after the word "*peas*" in same line and section the words "*or potatoes*," and the amendment prevailed.

Mr. Jones, of Wake, moved to insert after the word "*them*" in the seventh line, the following: "*and no person, in the year 1866, shall be allowed to plant and cultivate more than four acres of cotton or two acres of tobacco to the hand; male hands between the ages of sixteen and fifty years to be counted as one hand; males between the ages of twelve and sixteen and above the age of fifty years to be counted as half hands; and females above the age of fourteen and under sixty, to be counted as half hands.*"

The question being thereon,

On motion of Mr. Howard,

The further consideration of the bill was postponed until 11 o'clock to-morrow.

A message was received from the House of Commons, during the discussion of the foregoing bill, proposing to go forthwith into an election for one Trustee of the University, in which the Senate concurred, and a ballot was had under the superintendence of Messrs. Winstead and Berry.

Mr. Winstead subsequently reported the result of the ballot as follows, viz:

Whole number of votes cast was 135. Necessary to a choice 68. Of which Mr. Bynum received 63; Mr. Hyman 42; Mr. Jones 1. No one having received a majority of the whole number of votes cast, there was no election.

Concurred in.

Mr. Howard moved that the vote by which the Senate rejected a bill (86,) to repeal that part of Section 2, Chater 68, Revised Code, which relates to bonds on marriage licenses, be re-considered, and the vote was re-considered, and the bill placed on the calendar.

Mr. Wiggins introduced the following resolution, to wit:

Resolved, That the Senate meet daily after the 8th instant., during the remainder of this session, at 10 o'clock, A. M., unless otherwise changed.

The resolution lies over.

On motion of Mr. Whitford,

The Senate adjourned until 11 o'clock to-morrow.

THURSDAY, FEBRUARY 8, 1865.

Prayer by the Rev. R. S. Mason, D. D.

The Speaker designated Mr. Latham as a member of the Senate branch of the Committee of Conference on the bill (S. 14,) to repeal an Act entitled "An Act to establish the office of Auditor of Public Accounts," and for other purposes.

Reports from standing Committees were submitted and filed as follows, viz:

By Mr. Wiggins, from the Committee on Finance: S. 109 bill to abolish the office of Superintendent of Public Schools, Treasurer of the Literary Fund, and for other purposes, recommended by the Committee in obedience to the Senate resolution instructing them to inquire into the expediency of transferring the fund, known as the Literary or School Fund, to the State Treasurer.

The Committee asked to be discharged from the further consideration of that part of the resolution having reference to the Sinking Fund.

Discharged accordingly.

By Mr. Howard, from the Judiciary Committee: H. R. 121, engrossed resolutions authorizing certain proceedings against the Cape Fear Navigation Company, recommending the passage of a substitute accompanying the report.

By Mr. Morehead, from the same Committee: H. 53, engrossed bill entitled an Act to legalize certain proceedings of

the Provisional Justices for Randolph county, recommending the adoption of a substitute reported.

On motion of Mr. Howard,

The Committee on the Judiciary was enlarged to nine members.

The Speaker designated Messrs. Carter and McKoy as the additional members thereof.

The House of Commons concurred, by message, in the propositions of the Senate to raise Joint Select Committees, to inquire into the expediency of having the State printing done at the Asylum of the Deaf and Dumb and the Blind, and to take into consideration the propriety of transferring certain books, papers, &c., from the office of the Secretary of State to the room lately occupied by the State Geologist.

Messrs. Allison, Arrington and McEachern compose the House branch of the Committee in relation to printing, and Messrs. Waugh, Keenan and Smith, of Cumberland, as the House branch of the Committee in reference to removing certain papers, books, &c., to the room lately occupied by the State Geologist.

The Speaker appointed Messrs. Morehead and Harris, of Rutherford, and Messrs. Cowles and Pitchford, as the Senate branches, respectively, of the above Committees.

The House of Commons passed the following resolution, in which they asked the concurrence of the Senate, viz:

Resolved, That a Joint Select Committee of two on the part of the Senate, and three on the part of the House, be raised, to take into consideration the communication of Rev. Dr. Curtis, sent to this House by his Excellency, the Governor, in relation to a catalogue of plants of North Carolina, &c., and report such measures as may be deemed necessary and proper.

The Senate concurred, and the Speaker designated Messrs. Ferebee and Carter as the Senate branch of the Committee.

The House subsequently transmitted the names of Messrs. Cowan, Hyman and Webb as the House branch thereof.

Messrs. Boyd, McLean, Morgan and Williams presented additional names for Justices of the Peace for the counties of Moore, Cumberland, Pasquotank and Nash, respectively, which were recommended and transmitted to the House.

Bills, &c., of the titles following were introduced, passed their first reading, referred, or otherwise disposed of, as follows, to wit:

By Mr. Black: A resolution (S. R. 110,) instructing the Publiy Treasurer to pay over to the Trustee of the county of Randolph two hundred and sixty dollars. Referred to the Committee on Propositions and Grievances.

From the House: A bill (H. 131,) to give further security to a widow for her year's provision. To the Judiciary.

By Mr. Wilson: A bill (S. P. 47,) to incorporate the Rock Island Manufacturing Company in the county of Mecklenburg. To Corporations.

From the House: A bill (H. 107,) to authorize the formation of the English and American Wool and Vine Growing, Manufacturing and Agricultural Association in the United States of America. To Corporations.

A bill (H. 132,) to incorporate the Trustees of the General Assembly of the Presbyterian Church in the United States. To Corporations.

A resolution (H. R. 158,) for the relief of the University of North Carolina. Filed.

A resolution (H. P. 43,) in favor of A. W. Fraps. Filed.

A bill (H. P. 48,) to incorporate "Richland Female Academy," in the county of Ouslow. To Corporations.

The Senate resumed the consideration of the unfinished business, to wit:

H. 65, bill to prohibit for a limited time the distillation of spirituous liquors from grain.

The question being upon the amendment offered on yesterday by Mr. Jones, of Wake, was put and

Decided in the negative, { Yeas, ... 11,
Nays, ... 30.

On motion of Mr. Cowles,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Bogle, Cowles, Harris, of Rutherford, Jones, of Wake, Leach, of Davidson, McCleese, Morgan, Pitchford, Tayloe and Winstead.

Those who voted in the negative are:

Messrs. Aycock, Berry, Black, Blount, Boner, Boyd, Bullock, Bynum, Covington, Coward, Cowper, Ferebee, Garner, Gash, Harris of Franklin, Isbell, Jones, of Columbus, Keener, Latham, Leitch, of Robeson, McEachern, McKoy, McLean, Morehead, Snead, Stanford, Whitford, Wiggins, Williams and Wilson.

The amendment of the Comittee on the Judiciary to strike out all after the word "*fined*," in the ninth line, first section, and insert the words, "*or imprisoned, or both, at the discretion of the Court*," was adopted.

Mr. Leach of Davidson, moved to strike out the words "*or part of a day*," in the third line, second section, and it was adopted.

Mr. Jones of Wake, moved to amend, by inserting after the word "*same*," in the fourth line, fifth section, this proviso, to wit: "*Provided, That grain brought into the State, to be ground for the purpose of distillation, may be transported out of the State*," and the motion prevailed.

Mr. Wiggins moved to strike out the fifth section, and the question being thereon, was put, and

Decided in the negative, { Yeas, ... 22. Nays, ... 23.

On motion of Mr. Wiggins,

The yeas and nays being ordered,

Those who voted in the affirmative are,

Messrs. Arendell, Bullock, Carter, Coward, Cowper, Ferebee, Gash, Gorrell, Harris, of Franklin, Harris, of Rutherford, Isbell, Jones, of Columbus, Jones, of Wake, McCleese, Morgan,

Pitchford, Shober, Tayloe, Whitford, Wiggins, Williams and Winstead.

Those who voted in the negative are:

Messrs. Aycock, Berry, Black, Blount, Boner, Boyd, Bynum, Covington, Cowles, Eure, Garner, Hall, Howard, Keener, Latham, Leitch, of Robeson, McEachern, McKoy, McLean, Morehead, Snead, Stanford and Wilson.

Mr. Pitchford moved to insert the following as an additional section, viz:

"*Be it further enacted*, That any person hauling cotton out of the State, for the purpose of manufacture into any article, composed entirely or in part of cotton, shall be deemed guilty of a violation of this act, and, upon conviction, shall be liable to all the penalties recited herein."

And the question being thereon, was put, and

Decided in the negative, { Yeas, ... 17
Nays, ... 27

On motion of Mr. Arendell,

The yeas and nays being ordered,

Those who voted in the affirmative are,

Messrs. Arendell, Bogle, Carter, Cowles, Cowper, Ferebee, Gorrell, Harris, of Rutherford, Isbell, Jones, of Columbus, Leach, of Davidson, McCleese, Morgan, Shober, Tayloe, Whitford and Winstead.

Those who voted in the negative are:

Messrs. Aycock, Berry, Black, Blount, Boner, Boyd, Bullock, Bynum, Covington, Coward, Eure, Garner, Gash, Hall, Howard, Jones, of Wake, Keener, Latham, Leitch, of Robeson, McEachern, McKoy, McLean, Morehead, Snead, Stanford, Williams and Wilson.

Mr. Bogle moved to add the following as an additional section, to wit:

"*Be it further enacted*, That the counties of Surry, Yadkin, Iredell, Lincoln, Gaston, and all counties west of them, be exempt from the operation of this act."

It was not adopted.

Mr. Harris, of Rutherford, moved to insert the following, to come in after the fifth section, as an additional section, viz:

"*Be it further enacted*, That any person hauling or shipping any bacon, pork or beef beyond the limits of the State, shall be subject to all the penalties of this act."

And the question being thereon, was put, and

Decided in the negative, { Yeas, ... 11. Nays, ... 31.

On motion of Mr. Harris, of Rutherford,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Bogle, Carter, Cowles, Harris, of Rutherford, Isbell, McCleese, Morgan, Shober, Whitford and Winstead.

Those who voted in the negative are,

Messrs. Aycock, Berry, Black, Blount, Boner, Boyd, Bullock, Bynum, Covington, Cowper, Eure, Ferebee, Garner, Gash, Hall, Harris, of Franklin, Howard, Jones, of Wake, Keener, Latham, Leach, of Davidson, Leitch, of Robeson, McEachern, McKoy, McLean, Morehead, Snead, Stanford, Wiggins, Williams and Wilson.

Mr. Williams moved to amend, by striking out the "*first of March*," in the amendment offered by the Judiciary Committee, proposing to strike out the words "*fifteenth of February*," in the second line, fifth section, and insert the words "*tenth of March*," and it was adopted.

On motion of Mr. Bynum,

The following proviso was added to the sixth section, viz:

"*Provided*, That any indictment pending at the expiration of the act, shall be prosecuted to judgment, notwithstanding the expiration of this act."

On further motion of Mr. Bynum,

The following section was inserted to the bill, to come in after the fifth section, to wit:

"*Be it further enacted*, That a charge in the bill of indictment that the defendant distilled spirituous liquors out of grain, shall be held to include all the articles prohibited to be distilled by this act, and proof that the defendant distilled any of said articles or a mixture thereof, shall be sufficient to convict."

The question now recurring upon the passage of the bill, as amended, was put, and

Decided in the negative, { Yeas, ... 21, Nays, ... 25.

On motion of Mr. Cowles,

The yeas and nays were ordered.

Those who voted in the affirmative are:

Messrs. Aycock, Berry, Black, Blount, Boner, Bullock, Bynum, Covington, Garner, Hall, Harris, of Franklin, Keener, Latham, Leitch, of Robeson, McEachern, McKoy, McLean, Morehead, Stanford, Williams and Wilson.

Those who voted in the negative are:

Messrs. Arendell, Bogle, Boyd, Carter, Coward, Cowles, Cowper, Eure, Ferebee, Gash, Gorrell, Harris, of Rutherford, Isbell, Jones, of Columbus, Jones, of Wake, Leach, of Davidson, McCleese, Morgan, Pitchford, Shober, Snead, Tayloe, Whitford, Wiggins and Winstead.

Mr. Howard asked to be excused from voting. He believed the bill wrong in principle, and he had not been convinced by its friends that there existed any overruling necessity for its passage.

The request was granted.

Received a message from the House of Commons, concurring in the proposition of the Senate to raise a Joint Select Committee, to report what shall be done with certain books belonging to the State, in the hands of W. J. Palmer, Principal, &c., and that Messrs. Newsom, Kenan, Bonner and Faircloth, of Greene, constituted the House branch of said committee.

The Speaker designated Messrs. Bynum and Williams as the Senate braneh thereof.

The Senate concurred in reeommendations for Justiees of the Peace for the eounties of Iredell, Roekingham, Greene and Burke, transmitted from the House.

On motion of Mr. Ferebee,

Leave of absence was granted to Mr. Hall until Tuesday next.

On motion of Mr. Winstead,

A similar indulgence was granted to Mr. Ayeoek.

On motion of Mr. Blount,

Leave of absence, until Wednesday next, was given to Mr. Coward.

The resolution of Mr. Wiggins, introdueed yesterday, designating 10 o'clock as the hour for the meeting of the Senate during the remainder of this session, unless otherwise ordered, came up for consideration.

Mr. Gash moved to amend by adding the following resolution, viz:

"*Resolved further*, That evening sessions be held on and after Monday next, meeting at 7 o'clock, P. M.

And the question being thereon,

Mr. Morehead moved that the Senate adjourn until to-morrow at 11 o'clock.

Mr. Howard moved, by way of amendment, that the Senate adjourn until 10 o'clock.

And the question being thereon, was put and

Deeided in the affirmative, { Yeas, ... 26
Nays, ... 15

On motion of Mr. Latham,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Ayeock, Berry, Black, Blount, Boner, Bullock, Bynum, Covington, Cowper, Eure, Garner, Gash, Gorrell, Harris, of Franklin, Harris, of Rutherford, Howard, Latham, MeKoy,

McLear, Morgan, Pitchford, Snead, Stanford, Wiggins, Williams and Winetead.

Those who voted in the negative are:

Messrs. Arendell, Boyd, Carter, Cowles, Ferebee, Jones, of Columbus, Keener, Leach, of Davidson, Leitch, of Robeson, McEachern, Morehead, Shober, Tayloe, Whitford, and Wilson.

The question recurring upon the motion as amended,

Mr. Whitford moved to amend by striking out "10 *o'clock*" and inserting "9 *o'clock*," and the question being thereon, was put and

Decided in the affirmative, { Yeas, ... 24, Nays, ... 16.

On motion of Mr. Whitford,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Black, Boner, Boyd, Bynum, Eure, Garner, Gorrell, Harris, of Franklin, Harris, of Rutherford, Howard, Jones, of Columbus, Jones, of Wake, Latham, Leach, of Davidson, Leitch, of Robeson, McEachern, McKoy, Morehead, Whitford, Wiggins, Williams, Wilson and Winstead.

Those who voted in the negative are:

Messrs. Aycock, Berry, Blount, Bullock, Carter, Covington, Cowles, Cowper, Gash, Keener, McLean, Morgan, Shober, Snead, Stanford and Tayloe.

The question being upon the amendment as amended,

Mr. Arendell moved to strike out "*nine o'clock*," and insert "*eight o'clock*," and the motion did not prevail.

Mr. Gash moved to amend by striking out "*nine o'clock*," and inserting "*seven o'clock, P. M.*" and it was not adopted.

Mr. Carter moved to strike "*nine o'clock*," and insert "*eleven o'clock*," and the amendment prevailed.

Mr. Howard moved to strike out "*eleven o'clock*" and insert "*ten o'clock*," and it was not adopted.

Mr. Howard then moved to strike out "*eleven o'clock*" and insert "*nine o'clock.*"

Mr. Leach, of Davidson, moved to adjourn until 6½ o'clock and Mr. Cowles moved to adjourn until 10½ o'clock.

The Speaker here remarked that he had entertained the various propositions to amend the motion to adjourn, in obedience to a custom that had grown up in the General Assemblies of this State, which he was satisfied was entirely a variance with parliamentary law, and he would now rule an so hold in the future, unless otherwise ordered by the Senate, that motions to adjourn are not subject to amendment.

Mr. Morehead moved to adjourn until 11 o'clock to-morrow, and the question being thereon, was put, and

Decided in the affirmative, { Yeas, ... 20, Nays, ... 17.

On motion of Mr. Howard,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Boyd, Carter, Cowles, Cowper, Eure, Ferebee, Gorrell, Harris, of Rutherford, Jones, of Columbus, Jones, of Wake, Leach, of Davidson, Leitch, of Robeson, McEachern, McLean, Morehead, Morgan, Shober, Whitford and Williams.

Those who voted in the negative are:

Messrs. Aycock, Berry, Boner, Bullock, Bynum, Covington, Gash, Harris, of Franklin, Howard, Keener, Latham, McKoy, Snead, Stanford, Wiggins, Wilson and Winstead.

The Speaker declared the Senate adjourned until to-morrow at 11 o'clock.

FRIDAY, FEBRUARY 9, 1866.

Prayer by the Rev. A. Smedes, D. D.

Mr. Gash presented a memorial from citizens of Buncombe county, praying for legislation to meet the necessary expenses of the State, by issuing bonds or otherwise, in order to make it unnecessary to levy a burdensome tax, and that pro-

cess for the collection of debts be so far postponed as to put it in the power of honest debtors to meet their liabilities in a reasonable time, and avoid the necessity of a general bankrupt law, which was, on his motion, referred to the Committee on Finance.

Reports from Standing and Select Committees were submitted and filed as follows, to wit:

By Mr. Wiggins, from the Committee on Finance: A communication from the Governor, in regard to property claimed by the State, asking to be discharged from its further consideration, and its reference to the Committee on the Judiciary

So ordered.

By Mr. Howard, from the Judiciary Committee: S. 3, bill to amend Chapter thirty-third of the Revised Code, with the recommendation that it do pass.

A resolution, instructing the Committee on the Judiciary to inquire into the expediency of amending the law as to Grand Jurors, asking to be discharged from its further consideration.

Discharged accordingly.

H. 131, engrossed bill to give further security to a widow for her year's provision, with the recommendation that it be rejected.

By Mr. Bogle, from the same Committee: H. P. 32, engrossed bill to prevent obstructions to the passage of fish up the waters of Catawba river in the county of McDowell, with the recommendation that it do not pass.

By Mr. Keener, from the Joint Select Committee on Cherokee Indians; S. 115, bill to authorize certain Cherokee Indians to remain permanently in North Carolina, and

S. R. 116, resolution concerning Cherokee Indians, which the Committee had introduced upon information furnished by his Excellency the Governor, in relation to the Cherokee Indians, recommending their passage.

Bills, &c., of the titles following being introduced, passed

their first reading, and were referred or otherwise disposed of as follows, to wit:

By Mr. Carter: A bill (S. P. 48,) to be entitled "An act for the relief of Wm. B. Campbell, Sheriff of Beaufort county." To the Judiciary.

By Mr. Bynum: A bill (S. 117,) to establish the rate of interest, and repeal Chapter 114 of the Revised Code. To the Judiciary.

From the House: Engrossed bill (H. 119,) further suspending the operation of the statute of limitation. To the Judiciary.

By Mr. Ferebee: A bill (S. 118,) confirming certain resolutions in favor of the "Old Dominion Company." To the Judiciary.

From the House: Engrossed resolution (H. R. 136,) in favor of Jacob Siler. Filed.

The resolution of Mr. Wiggins, in regard to the hour for the daily meeting of the Senate, came up for consideration as the unfinished business.

The question being upon the amendment of Mr. Gash, it was withdrawn.

The question recurring upon the adoption of the resolution, it was decided in the affirmative.

The Senate concurred in recommendations for Justices of the Peace for the counties of Harnett and Alexander, transmitted from the House.

On motion of Mr. Donaho,

The recommendation of an additional name as a Justice of the Peace for Caswell county was taken from the table and concurred in, and other names were transmitted to the House as Justices for this county, for their concurrence.

On motion of Mr. Howard,

The consideration of the bill (S. 55,) making provisions for the payment of interest on State Bonds now due, was resumed.

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

Decided in the negative, { Yeas, ... 9, Nays, ... 32.

On motion of Mr. Howard,

The yeas and nays were ordered.

Those who voted in the affirmative are:

Messrs. Berry, Bogle, Bullock, Donaho, Jones, of Wake, McEachern, McLean, Morehead and Wiggins.

Those who voted in the negative are:

Messrs. Arendell, Black, Blount, Boner, Boyd, Bynum, Carter, Cowles, Cowper, Eure, Ferebee, Garner, Gash, Gorrell, Harris, of Franklin, Harris, of Rutherford, Howard, Jones, of Columbus, Keener, Latham, Leitch, of Robeson, McCleese, McKoy, Morgan, Pitchford, Snead, Stanford, Tayloe, Whitford, Williams, Wilson and Winstead.

The Speaker laid before the Senate a communication from the Public Comptroller in reference to the salary attached to his office.

On motion of Mr. Ferebee,

Ordered, That it be transmitted to the House of Commons, with the proposition to refer it to the Joint Committee of Conference in relation to that subject.

The Speaker announced the hour for the special order, to wit:

A bill (S. 47,) to amend an act entitled "An act to incorporate the Western North Carolina Railroad Company."

Mr. Jones, of Columbus, moved to amend the first section by adding the following proviso: "*Provided*, That this act shall extend only to the payment of one instalment of twenty thousand dollars, and shall be appropriated to the repair of the road."

The amendment was adopted.

The question recurring upon the passage of the bill, as amended, was put, and

Decided in the negative, { Yeas, ... 16
Nays, ... 23

On motion of Mr. Cowper,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Bogle, Boyd, Bynum, Covington, Gash, Harris, of Rutherford, Jones, of Columbus, Jones, of Wake, Keener, Leitch, of Robeson, McKoy, Shober, Stanford, Tayloe, Whitford and Wilson.

Those who voted in the negative are,

Messrs. Berry, Black, Blount, Boner, Bullock, Cowles, Cowper, Donaho, Eure, Ferebee, Garner, Harris, of Franklin, Latham, McCleese, McEachern, McLean, Morehead, Morgan, Pitchford, Snead, Wiggins, Williams and Winstead.

Mr. Cowles stated that he had voted in the negative in order to move a re-consideration of the vote just taken, on to-morrow, as he thought, with additional information, the Senate would reverse its decision.

S. 20, bill to amend an act passed at the session of 1848–'49, to provide for a Turnpike Road from Salisbury west, (generally known as the Western Turnpike Road.) to the lines of the States of Georgia and Tennessee, being read the second time was

On motion of Mr. Gash,

Laid on the table.

Received a message from the House of Commons, proposing to raise a Joint Select Committee, to examine into the condition of the public business and report when this General Assembly can probably adjourn without detriment to the same.

On motion of Mr. Arendell,

It was laid on the table.

On motions of Messrs. Leitch of Robeson, and Morehead,

Leaves of absence were granted to Messrs. McEachern and Wilson until Wednesday next.

On motions of Messrs. Eure and Harris, of Rutherford,

Leaves of absence were granted to Messrs. Williams and Bullock until Tuesday next.

On motion of Mr. Jones, of Wake,

The Senate adjourned.

SATURDAY, FEBRUARY 10, 1865.

Prayer by the Rev. Henry Hardie.

On motions of Messrs. Pitchford and Wiggins, leaves of absence were granted to Messrs. Blount and Garner respectively until Tuesday next.

Reports from standing and select committees were submitted and filed as follows, to wit:

By Mr. Bynum, from the Committee on the Judiciary: S. 117, bill to establish the rate of interest, and repeal chapter 114, of the Revised Code, with the recommendation that it do pass.

By Mr. Howard, from the same committee: S. P. 48, bill to be entitled "An act for the relief of Wm. B. Campbell, sheriff of Beaufort county, with the recommendation that it do pass.

By Mr. Latham, from the Committee of Conference: S. 14, bill to repeal an act, entitled "An act to establish the office of Auditor of Public Accounts," and for other purposes, recommending that the Senate concur in the amendment of the House of Commons.

By Mr. Harris, of Rutherford, from the Committee on the Depreciation of Confederate Currency: S. 43, bill to be entitled "An act to establish a scale of Depreciation of Confederate Currency," recommending its passage.

With the report was a minority report, with a different scale, which was,

On motion of Mr. Gorrell,

Ordered, To be printed.

A message was received from the House of Commons, transmitting additional names as Justices of the Peace for the counties of Beaufort, Rowan and Randolph, which were concurred in.

Messrs. Covington, Cowper and Stanford made additional nominations for Justices of the Peace for the counties of Anson, Hertford and Duplin, respectively, which were recommended and transmitted to the House of Commons.

Bills, &c., of the titles following being then introduced, were read the first time, referred, or otherwise ordered, as follows, viz:

By Mr. Wilson: A bill (S. P. 50,) to incorporate the Planters' Loan Association. To Corporations.

By Mr. Eure: A bill (S. 120,) to regulate the issuing of executions in the courts, and by Justices of the Peace. To Stay Law.

By Mr. Harris, of Rutherford: A bill (S. 121,) to authorize the arbitration of disputes by consent of parties.

Ordered, To be printed and referred to the Committee on the Judiciary.

By Mr. Pitchford: A bill (S. 122,) concerning private acts of incorporation. Filed.

By Mr. Shober: A bill (S. 123,) concerning indictments in the Courts of Oyer and Terminer. To the Judiciary.

Received a message from the House of Commons, proposing to go forthwith into an election for one Councillor of State, in which the Senate concurred, and under the superintendance of Messrs. Gorrell and Cowper, proceeded to vote as follows, viz:

The following named Senators voted for Mr. Jas. T. Morehead, Jr., viz:

Messrs. Arendell, Black, Covington, Donaho, Ferebee, Gorrell, McCleese, McLean, Morehead, Stanford and Wilson—11.

The following named Senators voted for Mr. J. J. Davis, viz:

Messrs. Eure, Harris, of Franklin, Howard, Jones, of Wake, Tayloe and Wiggins—6.

The following Senators voted for Mr. R. A. Simonton, viz:

Messrs. Boner, Isbell, Keener, McKoy, Shober and Winstead—6.

The following Senators voted for Hon. Giles Mebane, viz:

Messrs. Berry, Cowper, Latham and Pitchford—4.

The following Senators voted for Hon. G. W. Logan, viz:

Messrs. Carter, Gash and Harris, of Rutherford—3.

The following Senators voted for Hon. R. P. Dick, viz:

Messrs. Boyd and Morgan—2.

The following Senators voted for Mr. Tyre Glenn, viz:

Messrs. Bynum and Cowles—2.

Mr. Leitch, of Robeson, voted for N. A. McLean.

Mr. Gorrell subsequently, from the committee to superintend the election for Councillor of State, reported as follows:

Whole number of votes cast 121. Necessary to a choice 61. Of which Mr. Simonton received 61; Mr. Morehead 17; Mr. Logan 14; Mr. Davis 12; Mr. Mebane 7; Mr. Glenn 4; Mr. McLean 4; and Mr. Dick 2. Mr. Simonton, having received a majority of the whole number cast, was duly elected.

The report was concurred in.

Bills, &c., of the titles following then being read the second time, were referred, passed, or otherwise disposed of, as follows, to wit:

H. P. R, —, engrossed resolution in favor of M. A. Curtis. To Select Committee on the subject.

H. P. 21, Engrossed bill to incorporate Enoe Lodge of Free and Accepted Masons.

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

Ordered, to be enrolled.

H. P. 23, engrossed bill to incorporate Catawba Valley Lodge, N. 217, Free and Accepted Masons.

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

Ordered, To be enrolled.

H. P. 14, engrossed bill for the relief of the citizens of Alexander county, who may be injured by the destruction of its Public Records.

On motion of Mr. Bynum,

Indefinitely postponed.

H. P. 13, engrossed bill to amend an act to incorporate the town of High Point, in Guilford county, passed by the General Assembly at its session, February 1859.

On motion of Mr. Howard,

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

Ordered, To be enrolled.

H. P. 20, engrossed bill to amend an act passed at the session of 1850–'51, and amended at the sessions of 1854–'55 and 1858–'59, entitled "An act to incorporate the Tuckasegee and Keowee Turnpike Company."

The amendments of the committee were adopted.

On motion of Mr. Keener,

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

Ordered, To be transmitted to the House for concurrence.

S. P. 24, bill to incorporate the Mining, Manufacturing and Improvement Company. To the Judiciary.

S. P. 25, bill to incorporate the American Industrial Agency. To the Judiciary.

H. P. 32, engrossed bill to prevent the obstructions of the passage of fish up the waters of the Catawba river, in the county of McDowell.

On motion of Mr. Gash,

Indefinitely postponed.

S. P. 38, bill to extend the limits of the town of Swansboro', Onslow county, and for other purposes.

On motion of Mr. Howard,

Referred to the Judiciary.

S. P. 39, bill to prevent the sale of spirituous liquors in the town of Salem, Forsythe county.

On motion of Mr. Boner,

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

Ordered, To be engrossed.

S. P. 40, bill to incorporate Transylvania Institute.

The question being on the amendment offered by the Committee on Education and Literary Fund, striking out the fourth section,

Mr. Gash accepted the amendment, and the bill, as amended, passed.

On motion of Mr. Gash,

The rules were suspended, and it passed its third reading.

Ordered, To be engrossed.

H. 126, bill to amend an act, entitled "An act for the better regulation of the town of Greenville, and to increase the powers of the Commissioners of said town."

On motion of Mr. Carter,

Referred to the Judiciary.

S. P. 44, bill to incorporate the Carolina Joint Stock Insurance and Trust Company.

On motion of Mr. Whitford,

The rules were suspended, and the bill read the third time.

On motion of Mr. Carter,

Referred to the Judiciary.

H. P. R. 43, engrossed resolution in favor of A. W. Fraps.

On motion of Mr. Ferebee,

Referred to Committee on Claims.

H. R. 136, engrossed resolution in favor of Jacob Siler.

On motion of Mr. Gash

The rules were suspended, and the resolution was read the third time.

On motion of Mr. Ferebee,

Referred to the Committee on Claims, with instructions to report the sums received by the said Siler, in both Confederate and North-Carolina treasury notes—designating the sum of each separately, and the time when received,

On motion of Mr. McKoy,

The rules were suspended, and the engrossed resolution (H. R. 158,) for the relief of the University, placed on its several readings, passed second reading, and the question being on the passage of the resolution the third reading, was put, and

Decided in the affirmative, { Yeas, ... 24, Nays, ... 10.

On motion of Mr. Morehead,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Berry, Black, Boner, Boyd, Bynum, Carter, Covington, Cowper, Donaho, Eure, Ferebee, Gash, Howard, Jones, of Wake, Leitch, of Robeson, McCleese, McKoy, McLean, Morgan, Shober, Whitford, Wiggins and Wilson.

Those who voted in the negative are:

Messrs. Cowles, Gorrell, Harris, of Franklin, Harris, of Rutherford, Keener, Latham, Morehead, Pitchford, Stanford and Winstead.

Ordered, To be enrolled.

On motion of Mr. Bynum,

The rules were suspended, and the engrossed resolutions (H. R. 141,) defining the duty of the Governor with regard to the distribution of an act passed at the General Assembly, entitled "An act for the more complete re-organization of the State Government, passed its several readings.

Ordered, To be enrolled.

On motion of Mr. Howard,

The vote by which the Senate, on yesterday, rejected the bill (S. 55,) making provision for the payment of interest on State bonds now due, was re-considered.

On motion of Mr. Pitchford,

The bill was loid on the table.

On motion of Mr. Cowles,

The vote by which the Senate rejected the bill (S. 147,) to amend an act, entitled "An act to incorporate the Western North-Carolina Railroad Company," was reconsidered, and the bill filed on the Calendar.

A message was received from the House of Commons, proposing to go forthwith into an election for one Trustee of the University.

On motion of Mr. Arendell,

It was laid on the table.

On motion of Mr. Harris, of Rutherford,

The Senate adjourned.

MONDAY, February 12, 1866.

Prayer by J. M. Atkinson.

The Speaker designated Messrs. Boner, Gash, and Wilson as the Committee on Enrolled Bills during the week.

Reports from standing and select committees were submitted and filed, as follows, to wit:

By Mr. Howard, from the Committee on the Judiciary: S. 118, bill concerning certain resolutions in favor of the "Old Dominion Trading Company," recommending its passage.

H. 143, engrossed bill, further suspending the operation of the Statute of Limitations, with an amendment, with the recommendation that it do pass.

By Mr. Bynum, from the Committee on Finance: S. R. 124, resolutions declaring what debts are valid and not valid, un-

der the ordinance of the Convention, with a special report from the committee, recommending their passage.

Ordered, To be printed.

By Mr. Winstead, from the Joint Select Committee on the Governor's Mansion: S. R. 125, resolutions making appropriation for the Governor's Mansion, reported in obedience to a resolution adopted by this General Assembly, to inquire into the necessity of refitting the residence provided for the Governor of North-Carolina, recommending their passage.

A message was received from the House of Commons, returning (S. R. 89.) resolution to furnish Revised Code to Clerks of the several Courts not already supplied, proposing a substitute therefor. The Senate refused to concur.

On motion of Mr. Ferebee,

A Committee of Conference was proposed, to reconcile the difference between the two Houses: Messrs. Ferebee and Gash were announced as the Senate branch of the committee, should the House concur.

The Senate concurred in the additional recommendations for Justices of the Peace for Edgecombe and Brunswick counties, transmitted from the House.

A message was received from the House of Commons, proposing to go forthwith into an election for one Trustee of the University,

On motion of Mr. Arendell,

Laid on the table.

Mr. Gash introduced the following resolution, viz:

Resolved, That the Committee on the Judiciary be instructed to inquire into the propriety of changing the rules of Evidence in the Pleadings in this State, by allowing both Plaintiff and Defendant to testify in their own suits, and report by bill or otherwise.

Adopted.

S. 14, bill to repeal an act, entitled "An act to establish the office of Auditor General of Public Accounts," and for other

purposes, being read, the amendment of the House of Commons was concurred in.

On motion of Mr. Howard,

H. 54, engrossed bill to repeal the twelfth section of the tenth chapter of the act of the General Assembly, passed at its second extra session in the year 1861, was called up, being on its second reading.

Mr. Morehead moved to indefinitely postpone the bill, and the question being thereon, was put and

Decided in the affirmative, { Yeas,..... 21
Nays,..... 15

On motion of Mr. Howard,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Black, Boner, Boyd, Bynum, Covington, Cowper, Garner, Gash, Gorrell, Harris, of Franklin, Harris, of Rutherford, Isbell, Jones, of Columbus, Latham, McCleese, McLean, Morehead, Morgan, Tayloe and Wiggins.

Those who voted in the negative are:

Messrs. Carter, Cowles, Donaho, Eure, Ferebee, Howard, Jones, of Wake, Keener, Leitch, of Robeson, McKoy, Pitchford, Shober, Stanford, Wilson and Winstead.

Mr. Cowles, from the Committee on Claims, (by permission,) submitted a report, viz:

H. P. R. 43, engrossed resolution in favor of A. W. Fraps, recommending its passage.

H. R. 136, engrossed resolution in favor of Jacob Siler, reporting back the same, with the desired information, asking to be discharged from its further consideration.

Mr. McCleese presented additional recommendations for Justices of the Peace for Hyde county, which were agreed to and transmitted to the House of Commons.

On motion of Mr. Covington,

The Senate adjourned.

TUESDAY, FEBRUARY 13, 1865.

Prayer by the Rev. N. B. Cobb.

A message was received from the House of Commons, concurring in the Senate amendments to the bill (H. P. 20,) to amend an act passed at the sessionof 1850–'51, and amended at the sessions of 1854–'55 and 1858–'59, entitled "An act to incorporate the Tuckaseegee and Keowee Turnpike Company."

Ordered, To be enrolled.

The Senate accepted the resignation of Messrs. A. D. McLean, R. W. Allison, W. W. Wheeler, A. H. Davis and J. Keener, as members of the Board of Directors of the Lunatic Asylum.

Messrs. Holmes and Yellowley constitute the House branch of the Committee of Conference on the resolutions (S. R. 89,) to furnish Revised Code to Clerks of the several Courts not already supplied.

A message was received from the House of Commons covering two messages from his Excellency, the Governor, the one in relation to artificial limbs, the other inreferenee to a place of deposit for the State funds.

The Senate concurred in the proposition to refer the latter to the Committee on Finance.

The Senate concurred in recommendations for Justices of the Peace for the counties of Macon, Surry and Johnson.

A memorial from Justices of the Peace for Randolph county, in reference to the Revenue Law, was referred to the Committee on Finance, as was proposed by the House of Commons.

Bills, &c., of the titles following being read the first time, passed their first reading, and were filed, viz:

From the House: Engrossed resolutions (H. R. 138,) accepting a donation of lands by the Congress of the United States, under the act approved July 2, 1862.

From the House: An engrossed bill (H. 145,) to incorporate the Leaksville Male Academy in the county of Rockingham and to appoint the Trustees thereof.

From the House: An engrossed bill (H. 149,) to amend the county line of Mitchell county, and to annex a part of Yancey county to the county of Mitchell.

Bills of the titles following were read the second time and disposed of, as follows, to wit:

S. 3, bill to amend chapter thirty-third of the Revised Code.

On motion of Mr. Wilson,

Laid on the table.

S. 16, bill to extend the time allowed to widows to enter their dissent to the last will and testament of their husbands.

Mr. Eure moved to amend by striking out the words "*and distribution*," in the second section, which was adopted.

The bill, as amended, passed its second reading.

Mr. McKoy announced the death of Mr. Sanders, the Senator from Onslow, and paid a feeling tribute to the deceased, and submitted the following resolutions, viz:

WHEREAS, By the decree of an overruling Providence, to which all that is mortal must bow in humble submission, Isaac Newton Sanders, a member of this body from the county of Onslow, has been suddenly cut down in the midst of his usefulness; therefore

Resolved, That we have heard, with deep regret, of the sudden death of our esteemed fellow member, and that our heartfelt sympathies are hereby tendered to the afflicted family of the deceased in their sad bereavement, and may He who has promised to temper the wind to the shorn lamb, temper this affliction to their saddened hearts.

Resolved, That in the death of Isaac Newton Sanders, this body has lost a valuable and industrious member, and the State a useful and patriotic citizen.

Resolved, That a copy of these resolutions be sent to the family of the deceased.

Resolved, That as a mark of respect to the memory of the deceased, the Senate do now adjourn.

The resolutions were adopted, and the Senate, in accordance therewith, adjourned.

WEDNESDAY, February 14, 1866.

Reports from Standing Committees were submitted and filed, as follows, viz:

By Mr. Arendell, from the Committee on Corporations: H. 132, engrossed bill to incorporate the Trustees of the General Assembly of the Presbyterian Church in the United States, with the recommendation that it do pass.

H. P. 48, engrossed bill to incorporate "Richland Female Academy," in the county of Onslow, recommending that the same do pass.

S. P. 47, bill to incorporate the Rock Island Manufacturing Company, in the county of Mecklenburg, with an amendment, recommending its passage.

S. P. 50, bill to incorporate the Planter's Loan Association, with the recommendation that the same do not pass.

The House of Commons concurred, by message, in the recommendation for Justices of the Peace for Hyde county.

Mr. Gash introduced a resolution, instructing the Committee on Finance to enquire into the expediency of exempting all evidences of debt from taxation, and to levy the taxes on money actually collected on debts due prior to 1st January, 1866, and provide for collecting officers to retain the taxes on all moneys collected from non-residents, and pay the same over to the Sheriff or tax collector of their respective counties: and, also, the propriety of levying a mere nominal tax on land and polls for the State, leaving these two items for the County Courts to levy their County taxes on, and substitute a small tax on Railroad and Canal travel in lieu thereof; which was adopted.

Bills, &c., of the titles following were introduced, read first time, referred, or otherwise disposed of, as follows:

By Mr. Shober: A bill (S. P. 52,) to amend an act, entitled "An act to amend the charter of the town of Salisbury." Filed.

From the House: Engrossed bill (H. 173,) to establish a board of Commissioners of Navigation. Referred to the Committee on Corporations.

Engrossed bill (H. 153,) to incorporate the Rudisill Gold Mining Company, in the county of Mecklenburg, North-Carolina. To Corporations.

Engrossed bill (H. 155,) to incorporate "The Bladen Land Company." To Corporations.

Engrossed bill (H. 157,) to be entitled an act to amend an act entitled "An act to incorporate the town of Graham," in the county of Alamance. To Corporations.

Engrossed bill (H. 174,) to consolidate and amend the several acts heretofore passed for the better regulation of the town of Jacksonville, in Onslow county. To Corporations.

Engrossed bill (H. 176,) to repeal the 17th section of an act passed by the General Assembly, at its session in the year 1825, entitled "An act for the better regulation of the town of Beaufort." To Corporations.

Mr. Leitch, of Robeson, gave notice that the Senator from Davidson (Mr. Leach) had been for some days, and still was detained from his seat by severe illness in his family.

On motion of Mr. Jones, of Columbus,

Leave of absence was granted to Mr. Boyd until Thursday next.

Mr. Cowles submitted recommendations for Justices of the Peace for Yadkin county, which were agreed to and transmitted to the House.

S. 16, bill to extend the time allowed to widows to enter their dissent to the last will and testament of their husbands, being read the third time

Mr. Eure moved to amend, by inserting after the words

"*sixty-five*" in the first section the words "*whose real estate has not been sold*," and the amendment prevailed.

The question recurring upon the passage of the bill as amended, was put and decided in the affirmative, there being counted, ayes 18, noes 15.

Ordered, To be engrossed.

The House of Commons refused, by message, to concur in the recommendations for Justices of the Peace for the county of Yadkin.

Bills, &c., of the titles following being then read the second time, were passed and filed for their third reading, or otherwise disposed of as follows, viz.:

H. 23, engrossed bill to provide for the payment of the State debt contracted before the war. Laid on the table.

S. 37, bill to authorize the Wardens of the Poor of each county to seize and sell the property of paupers, who are admitted to the Poor Houses of their respective counties.

On motion of Mr. Covington,

Indefinitely postponed.

H. 53, engrossed bill entitled an Act to legalize certain proceedings of the Provisional Justices for Randolph county.

On motion of Mr. Wilson,

Laid on the table.

H. 56, engrossed bill to declare valid certain elections and acts since May 20th, 1861.

The question being on the amendment offered by Mr. Jones, of Wake, to wit: "*Provided*, That this act shall not be so construed as to exclude from their respective officers or appointments, any Officer, Agent, Director or Appointee, elected, chosen, appointed or made by the General Assembly, which convened on the fourth Monday of November, 1865," was put and the amendment was adopted.

The question then recurring upon the passage of the bill as amended, was put and decided in the negative.

H. 17, engrossed bill to regulate the terms of the Supreme Court and for other purposes. Filed for third reading.

S. 79, bill to secure taxes on distillation of spirituous liquors. Laid on the table.

S. 86, bill to repeal that part of Section second, Chapter sixty-eight, Revised Code, which relates to bonds on marriage licenses.

Mr. Gash moved to amend by inserting the following as an additional section, to wit:

"*Be it further enacted*, That any person who shall take out a marriage license in any case, where the marriage of said parties is unlawful by the laws of this State, shall be guilty of a misdemeanor, and upon conviction thereof, in any court having jurisdiction of the same, shall be fined or imprisoned at the discretion of the court."

Adopted.

The question recurring upon the passage of the bill as amended,

On motion of Mr. Carter,

Recommitted to the Committee on the Judiciary.

S. 91, bill to prevent the carrying of pistols in this State without license. Filed for third reading.

H. 118, engrossed bill to amend an act entitled "An act to incorporate the Macon County Turnpike Company," passed at the session of 1856–'57.

The question being on the amendment offered by the Committee on Cherokee Lands and Western Turnpikes to insert an additional section as the third, to wit:

"*Be it further enacted*, That this act shall not be so construed as to apply to an act passed at the present session of this Legislature to amend the charter of the Tuckasegee and Keowee Turnpike Company in the county of Jackson," was put and the amendment was adopted.

Mr. Jones, of Columbus, moved to amend by inserting after

the word "*subscribed*" in the first section the words "*and paid*," and the amendment prevailed.

The question recurring upon the passage of the bill, as amended, its second reading, was put and decided in the affirmative.

On motion of Mr. Keener,

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

Ordered, To be transmitted to the House of Commons for concurrence in the amendments.

H. 110, engrossed bill to repeal the 6th Chapter of an act of the General Assembly, passed on the 6th day of July, 1863.

On motion of Mr. Shober,

Laid on the table.

H. 113, engrossed bill to incorporate the North Carolina Immigration Company. Referred to the Committee on Corporations.

S. 103, bill to authorize the Wardens of the Poor to seize and sell the property of paupers who are admitted to the Poor Houses of their respective counties.

The question being upon the adoption of the substitute offered by the Committee on the Judiciary, was put and decided in the affirmative.

The bill as amended passed its second reading.

H. 100, engrossed bill to amend the 12th Section, 118th Chapter, Revised Code. Referred to the Committee on the Judiciary.

H. 77, engrossed bill to restore jury trials in criminal cases to the Courts of Pleas and Quarter Sessions of this State. Referred to the Judiciary.

H. 108, engrossed bill to charter "The High Shoal Railroad Company."

On motion of Mr. Bynum,

The rules were suspended, and the bill read the third time.

Mr. Wilson moved to amend by striking out the figures and

words "*25th chapter*" and insert "*26th chapter*," and it was adopted.

Mr. Harris, of Rutherford, moved to amend by inserting the following proviso to section first: "*Provided*, That said road shall be the same guage as that of the Wilmington, Charlotte and Rutherford Railroad," and the amendment prevailed.

The question recurring upon the bill as amended, was put and decided in the affirmative.

Ordered, To be transmitted to the House for concurrence in the amendments.

S. 109, bill to abolish the office of Superintendent of Public Schools, Treasurer of the Literary Fund and for other purposes.

On motion of Mr. Shober,

Laid on the table.

H. 131, engrossed bill to give further security to a widow for her year's support. Rejected.

S. 115, bill to authorize certain Cherokee Indians to remain permanently in North Carolina. Filed for third reading.

S. R. 116, resolution concerning Cherokee Indians. Filed for third reading.

S. 118, bill confirming certain resolutions in favor of the "Old Dominion Trading Company." Made the special order for to-morrow (February 15th,) at 12 o'clock, M.

Mr. McKoy introduced the following resolution, to wit:

Resolved, That the Speaker of the Senate issue, according to law, a writ of election to fill the vacancy occasioned by the death of Isaac N. Sanders, late Senator from Onslow; and that the Sheriff of Onslow county be directed to hold said election on the first Thursday of March, being the first day of March, 1866.

Adopted.

On motion of Mr. Arendell,

Leave of absence was granted to Mr. McKoy from and after Saturday next until Thursday following.

On motion of Mr. Wilson,

Leave of absence was granted to Mr. Latham from and after to-day until Tuesday next.

On motion of Mr. Bogle,

The Senate adjourned.

THURSDAY, February 15, 1865.

Reports from Standing and Select Committees were submitted, and filed as follows, viz:

By Mr. Wiggins, from the Committee on Finance: S. 129, bill to provide for the collection of taxes of 1865, in counties where no sheriff or other officer was qualified, under the Revenue Ordinance of the Convention, reported in obedience to a resolution of the Senate instructing the committee to report a bill upon the subject, recommending its passage.

Resolution on the subject of taxes, asking to be discharged from its further consideration, as the whole subject matter contained in the resolution has been considered in framing the Revenue Bill.

Discharged accordingly.

By Mr. Howard, from the Committee on the Judiciary: S. 123, bill concerning indictments in the Courts of Oyer and Terminer, recommending its passage.

S. 92, bill to give original jurisdiction to the Supreme Court in certain cases, with a recommendation favorable to its passage.

S. 105, bill to amend an act, entitled "An act for the relief of Landlords," with the recommendation that the same do pass.

H. 126, engrossed bill to amend an act, entitled "An act for the better regulation of the town of Greenville," and to increase the powers of the Commissioners of said town, with an amendment, recommending its passage.

S. P. 44, bill to incorporate "The Carolina Joint Stock Insurance and Trust Company," with an amendment, recommending its passage.

By Mr. Carter, from the same committee: Resolution to change the rules of evidence in this State, asking to be discharged from its further consideration, as printed copies of such a bill are now lying on the desks of members, having been introduced in the House of Commons.

Discharged accordingly.

By Mr. Gash, from the Joint Select Committee of conference on the resolution (S. R. 89,) to furnish Revised Code to clerks of the several courts not already supplied, with a substitute therefor, with the recommendation that the substitute be adopted.

By Mr. Cowles, from the Joint Select Committee appointed to arrange the packing and transfer of the papers and documents belonging to the Adjutant General's office, Quartermaster's and Commissary's Departments to the room in the Capitol, known as the "Geological room," asking to be discharged, as the more valuable papers had been purloined, and the remainder were in a deranged and disordered condition.

Discharged accordingly.

Mr. Gash introduced the following resolution, viz:

Resolved, That the Secretary of State be instructed to have the acts passed in the secret sessions of 1864–'65, printed, with the acts already ordered to be printed for those sessions.

On motion of Mr. Ferebee,

Referred to the Committee on the Judiciary.

Mr. Jones, of Columbus, introduced the following resolution, to wit:

Resolved, That a message be sent to the House of Commons, proposing to raise a Joint Select Committee of two on the part of the Senate, and three on the part of the House, to inquire whether any modification or additional legislation is necessary as to a supply of limbs to soldiers, who lost

their limbs in the military service of the State, and that the committee report by bill or otherwise.

Adopted.

The Speaker designated Messrs. Jones, of Columbus, and McKoy as the Senate branch of the committee in case of a compliance by the House.

A message was received from the House of Commons, transmitting additional names for Justices of the Peace for Anson county, which were concurred in.

Mr. Bynum moved that the vote by which the Senate passed the bill (H. 108,) to charter "The High Shoal Railroad Company," be reconsidered, and the motion prevailed.

On further motion of Mr. Bynum,

The vote by which the Senate adopted the amendment offered by Mr. Harris, of Rutherford, to require the guage of the proposed road to be the same as that of the Wilmington, Charlotte and Rutherford Railroad, was reconsidered, and the bill as amended, passed.

Ordered, To be transmitted to the House for concurrence.

Bills, &c., of the titles following being read the third time, were disposed of, as follows, viz:

H. 17, engrossed bill to regulate the terms of the Supreme Court and for other purposes.

Mr. Morehead moved to amend by striking out all after the word "*docket*," in the second section, and insert the words "*by the clerk*," and the motion prevailed.

The bill, as amended, passed.

Ordered, To be transmitted to the House of Commons for concurrence in the amendments.

S. 91, bill to prevent the carrying of pistols in this State, without license. Rejected.

S. 103, bill to authorize the Wardens of the Poor, in case any indigent person becomes chargeable to a county, possessed of any estate, to subject the same to the indemnity thereof.

Passed.

Ordered, To be engrossed.

S. 115, bill to authorize certain Cherokee Indians to remain permanently in North-Carolina, passed.

Ordered, To be engrossed.

S. R. 116, resolution concerning Cherokee Indians, passed.

Ordered, To be engrossed.

The Speaker announced the hour, 12 o'clock, for the Special Order, to wit:

S. 118, bill confirming certain resolutions in favor of the "Old Dominion Trading Company."

The Speaker remarked that while he was not entirely satisfied in reference to the matter, he was under the impression that the bill was a private bill requiring notice, and would refer the matter to the decision of the Senate.

The question being, "Is this a private bill requiring notice?" was decided in the affirmative, there being counted ayes 24, noes 15.

A message was received from the House of Commons, concurring in the amendment to the bill (H. 118,) to amend an act, entitled "An act to incorporate the Macon county Turnpike Company," passed at the session of 1856–'57, and the bill (H. 108,) to charter "The High Shoal Railroad Company."

Ordered, To be enrolled.

A communication from the Governor was transmitted from the House, informing the General Assembly of the death of L. Q. Sharpe, Solicitor in the 6th Judicial Circuit.

The House concurred in the proposition to raise a Joint Select Committee upon the subject of artificial limbs for soldiers, and Messrs. Yellowley, Hutchison and Bryson constitute the House branch of the committee.

The Senate refused to concur in the proposition of the House to go forthwith into an election for Solicitor of the 6th Judicial Circuit.

Bills, &c., of the titles following being read the second time, were disposed of as follows, viz:

S. 43, bill to be entitled An act to establish a scale of depreciation of Confederate currency.

The question being on the amendment reported by the minority of the committee,

Mr. Howard moved to lay it on the table,

And the question being thereon, was put, and

Decided in the negative, { Yeas, ... 7. Nays, ... 31.

On motion of Mr. Harris, of Rutherford,

The yeas and nays being ordered.

Those who voted in the affirmative are,

Messrs. Bogle, Howard, Jones, of Columbus, McKoy, Morehead, Stanford and Wilson.

Those who voted in the negative are:

Messrs. Arendell, Aycock, Berry, Black, Blount, Boner, Bullock, Bynum, Carter, Covington, Cowles, Cowper, Donaho, Eure, Ferebee, Garner, Gash, Gorrell, Harris, of Rutherford, Isbell, Jones, of Wake, Keener, Leitch, of Robeson, McCleese, McEachern, McLean, Pitchford, Tayloe, Wiggins, Williams and Winstead.

On motion of Mr. Carter,

Made the special order for Tuesday, 20th February inst.

S. 102, bill to outlaw felons who flee from justice, passed, and filed for third reading.

H. 132, engrossed bill to incorporate the Trustees of the General Assembly of the Presbyterian Church in the United States.

Mr. Carter moved to amend, by adding the following proviso to the first section, viz:

"*Provided*, That the property, real and personal, held or possessed by the said Corporation, shall not exceed two million dollars."

And the amendment prevailed.

The bill, as amended, passed, and was filed for the third reading.

S. 117, bill to establish the rate of interest, and repeal chapter 114 of the Revised Code. Made the special order for tomorrow, (16th inst.,) at 12 o'clock.

H. 143, engrossed bill further suspending the operation of the Statute of Limitations.

The question being upon the amendment offered by the Committee on the Judiciary, to wit: Strike out all after the figures "1861," and insert the words and figures "*and the 1st day of January, 1867, shall not be counted,*" was put and decided in the affirmative.

The bill, as amended, passed, and was filed for the third reading.

S. 122, bill concerning private acts of incorporation.

Mr. Jones, of Wake, moved to amend by adding the following proviso, viz:

"*Provided*, This act shall not apply to any corporations of Religious or Literary Societies";

And it was not adopted.

The bill passed, and was filed for the third reading.

On motion of Mr. Harris, of Rutherford,

The Senate adjourned.

FRIDAY, FEBRUARY 16, 1866.

Prayer by the Rev. A. Smedes, D. D.

Mr. Carter presented a memorial from citizens of Beaufort county, praying that the bill, proposing to make a new county from parts of Beaufort and Craven counties, do not pass.

Mr. Wiggins, from the minority of the Committee on Finance, submitted a report in response to certain resolutions in reference to the public debt, which was,

On motion of Mr. Cowper,

Ordered, To be printed.

Mr. Carter introduced a resolution, (S. R. 130,) concerning the collection of the State taxes in Beaufort county.

On motion of Mr. Wilson,

The rules were suspended, and the resolution passed its several readings.

Ordered, To be engrossed.

Mr. Eure introduced a bill (S. 131,) to authorize the Clerks of the Courts of Pleas and Quarter Sessions to qualify the sheriffs elect of their respective counties in certain cases.

On motion of Mr. Eure,

The rules were suspended, and the bill amended to restrict its operation to Chowan county, and passed its several readings.

Ordered, To be engrossed.

Bills, &c., of the titles following being read the third time, passed, and were ordered as follows, viz:

S. R. 89, resolution to furnish Revised Code to Clerks.

The question being on the substitute offered by the Committee of Conference, was put and decided in the affirmative.

The bill, as amended, passed its third reading.

Ordered, To be transmitted to the House of Commons for concurrence.

S. 102, bill to outlaw felons who flee from justice.

Ordered, To be engrossed.

H. 132, engrossed bill to incorporate the Trustees of the General Assembly of the Presbyterian Church in the United States.

Ordered, To be enrolled.

H. 143, engrossed bill further suspending the operations of the Statute of Limitations.

Ordered, To be transmitted to the House for concurrence in the amendment.

S. 122, bill concerning private acts of incorporations.

The question being upon its passage, was put, and

Decided in the affirmative, { Yeas, ... 28, Nays, ... 11.

On motion of Mr. Morehead,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Aycock, Berry, Black, Blount, Bullock, Bynum, Carter, Covington, Cowles, Cowper, Donaho, Eure, Ferebee, Garner, Gorrell, Harris, of Franklin, Harris, of Rutherford, Jones, of Wake, Keener, McCleese, McEachern, Morehead, Pitchford, Shober, Snead, Tayloe and Winstead.

Those who voted in the negative are:

Messrs. Bogle, Boner, Gash, Isbell, Leitch, of Robeson, McLean, Morgan, Stanford, Wiggins, Williams and Wilson.

Ordered, To be engrossed,

A message was received from the House of Commons, proposing to go forthwith into an election for Solicitor of the 6th Judicial District, which was,

On motion of Mr. Cowles,

Laid on the table.

The Senate concurred in recommendations for Justices of the Peace for the counties of Northampton and Onslow.

H. R. 121, engrossed resolutions authorizing certain proceedings against the Cape Fear Navigation Company, being read the second time, and the question being upon the substitute offered by the Committee on the Judiciary, was put and

Decided in the negative, { Yeas, ... 24. Nays, ... 17.

On motion of Mr. Carter,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Berry, Black, Blount, Bogle, Bullock, Carter, Donaho, Eure, Gash, Jones, of Wake, Leitch, of Robeson, McEachern, McKoy, McLean, Shober, Wilson and Winstead.

Those who voted in the negative are:

Messrs. Arendell, Aycock, Boner, Bynum, Covington, Cowles, Cowper, Ferebee, Garner, Gorrell, Hall, Harris, of Franklin, Harris, of Rutherford, Jones, of Columbus, Keener, McCleese, Morehead, Morgan, Pitchford, Snead, Stanford, Tayloe, Wiggins and Williams.

The resolutions passed their second reading.

The Speaker announced the special order, to wit:

S. 117, bill to establish the rate of interest and repeal chapter 114 of the Revised Code.

On motion of Mr. Morehead,

Laid on the table.

On motion of Mr. Wilson,

The rules were suspended, and H. R. 138, engrossed resolutions accepting a donation of lands by the Congress of the United States, under the act approved July 2, 1862, was taken from the calendar and referred to the Committee on the Judiciary.

A message was received from the House, transmitting an engrossed bill (H. 177,) to regulate salaries and fees. Filed.

The Senate concurred in recommendation transmitted from the House for Justices of the Peace for Burke county.

The House of Commons refused to concur in the amendments to engrossed bill (H. 143,) further suspending the operation of the statute of limitations, and the engrossed bill (H. 17,) to regulate the terms of the Supreme Court, and for other purposes.

The House concurred in the substitute proposed by the Committee on Conference, to the resolution (S. R. 89,) to furnish Revised Code to clerks.

The Senate concurred in the recommendations for Justices of the Peace for Halifax and Carteret counties.

On motions of Messrs. Ferebee and Bogle,

Leaves of absence were granted to Messrs. Wilson and Harris, of Franklin, until Tuesday next.

On motion of Mr. Shober,

Leave of absence was granted to Mr. Boner until Wednesday next.

On motion of Mr. Shober,

The Senate adjourned.

SATURDAY, FEBUARY 17, 1866.

Reports from Standing and Select Committees were submitted and filed as follows, to wit:

By Mr. Arendell, from the Committee on Corporations:

H. 157, engrossed bill to be entitled an act to amend an act entitled "An act to incorporate the town of Graham in the county of Alamance," recommending its passage.

H. 174, engrossed bill to consolidate and amend the several acts heretofore passed for the better regulation of the town of Jacksonville in Onslow county, recommending that it do pass.

H. 176, engrossed bill to repeal the 17th section of an act passed by the General Assembly at its session in the year 1826, entitled "An act for the better regulation of the town of Beaufort," recommending its passage.

H. 113, engrossed bill to incorporate the North Carolina Immigration Company, with recommendation that it do pass.

H. 107, engrossed bill to authorize the formation of the English and American Wool and Vine Growing, Manufacturing, Mining and Agricultural Association in the United States of America, with amendments, recommending its passage.

H. 173, engrossed bill to establish a Board of Commissioners of Navigation, with the recommendation that the same do pass.

By Mr. Morehead, from the Judiciary Committee:

S. R. 133, resolution to print the acts of the secret sessions of 1864–'65, with recommendation that it do pass.

By Mr. Jones, of Columbus, from the Joint Select Committee as to supplying artificial limbs to maimed soldiers:

S. 135, resolutions amendatory of the resolution for supplying artificial limbs to maimed Soldiers, ratified on the twenty-third day of January, 1866, with the recommendation that it do pass.

On motion of Mr. Jones, of Columbus,

The rules were suspended, and the resolution passed its several readings.

Ordered, To be engrossed.

Messrs. McLean, Harris, of Rutherford, and Black submitted recommendations for Justices of the Peace for the counties of Harnett, Rutherford, Cleaveland and Alamance, which were adopted and transmitted to the House.

The Senate concurred in recommendations for Justices of the Peace for the counties of Gates, Alexander, Chowan and Cleaveland, transmitted from the House.

Bills, &c., of the titles following being introduced, passed their first reading, and were otherwise disposed of, as follows, to wit:

By Mr. Carter: A bill (S. 135,) to amend the 4th section of chapter 35, Revised Code, relating to fugitives from justice. Referred to the Committee on the Judiciary.

By Mr. Coward: A bill (S. 136,) to authorize the appointment of a tax collector for Lenoir county.

On motion of Mr. Coward,

The rules were suspended, and the bill placed upon its several readings.

Mr. Pitchford moved to amend by striking out the word "*shall*" in the first section and insert the word "*may*," and the motion prevailed.

The bill as amended passed its second and third readings.

Ordered, To be engrossed.

By Mr. Carter: A resolution (S. R. 134,) in favor of Edward

Sanders, Executor of Isaac N. Sanders, late Senator from the county of Onslow.

On motion of Mr. Carter,

The rules were suspended and the resolution passed its several readings.

Ordered, To be engrossed.

From the House: Engrossed resolution (H. R. 52,) in favor of Mrs. Sarah Hanrahan.

On motion of Mr. Blount,

The rules were suspended and the resolution passed its several readings.

Ordered, To be enrolled.

On motion of Mr. McEachern,

The resolution (S. P. R. 4,) in favor of Daniel Coleman, Administrator of Josiah L. Bundy, deceased, late sheriff of the county of Cabarrus, was taken from the table, and had its second reading.

On motion of Mr. Bogle,

It was laid on the table.

A message was received from the House of Commons, concurring in the amendment adopted by the Senate to the engrossed bill (H. 143,) further suspending the operation of the Statute of Limitations.

The House again refused to concur in the Senate amendment to the engrossed bill (H. 17,) to regulate the terms of the Supreme Court, and for other purposes, and invited a committee of conference.

The Senate concurred, and Messrs. Morehead and Carter were designated as the Senate branch of said committee, and Messrs. Smith, of Hertford, and Manly compose the House branch thereof.

Received a message from the House of Commons, transmitting the bill (S. 131,) to authorize the Clerk of the Court of Pleas and Quarter Sessions of Chowan county, which they had

passed, with an amendment, in which they ask the concurrence of the Senate.

The Senate concurred.

H. R. 136, engrossed resolution in favor of Jacob Siler, being read the third time,

Passed.

Ordered, To be enrolled.

Bills, &c., of the titles following being read the second time, passed their second reading, and were disposed of, as follows, viz:

H. 126, engrossed bill to amend an act, entitled "An act for the better regulation of the town of Greenville," and to increase the powers of the commissioners of said town.

The question being on the amendment proposed by the Judiciary committee, to strike out the fifth section, was put and decided in the negative.

On motion of Mr. Blount,

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

Ordered, to be enrolled.

H. P. 43, engrossed resolution in favor of A. W. Fraps. Filed for third reading.

H. P. 48, engrossed bill to incorporate "Richland Female Academy," in the county of Onslow.

On motion of Mr. Keener,

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

Ordered, To be enrolled.

On motion of Mr. Cash,

The rules were suspended, and the resolution (S. R. 133,) to print the acts of the secret sessions of 1864–'65, was considered and passed its second reading.

The question being, "Shall the resolution pass its third reading?"

Mr. Hall moved to lay on the table.

And the question thereon was put, and

Decided in the negative, { Yeas,..... 12 / Nays,..... 27

On motion of Mr. Arendell,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Aycock, Berry, Cowper, Donaho, Eure, Ferebee, Hall, McCleese, McLean, Pitchford, Wiggins and Williams.

Those who voted in the negative are:

Messrs. Arendell, Black, Blount, Bogle, Boyd, Bullock, Bynum, Carter, Covington, Coward, Cowles, Garner, Gash, Gorrell, Harris, of Rutherford, Isbell, Jones, of Columbus, Jones, of Wake, Keener, Leitch, of Robeson, McEachern, Morehead, Morgan, Shober, Snead, Tayloe and Winstead.

The question recurring upon the passage of the bill,

Mr. Arendell moved to amend by inserting before the figures "1864–'65," the word and figures "1862–'63 *and*," and it was adopted.

The question, "Shall the resolution pass?" being put, was

Decided in the affirmative, { Yeas, ... 28, / Nays, ... 11.

On motion of Mr. Jones, of Columbus,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Black, Blount, Bogle, Boyd, Bullock, Bynum, Carter, Covington, Coward, Cowles, Garner, Gash, Gorrell, Harris, of Rutherford, Isbell, Jones, of Columbus, Jones, of Wake, Keener, Leitch, of Robeson, McCleese, McEachern, Morehead, Morgan, Shober, Snead, Tayloe and Winstead.

Those who voted in the negative are,

Messrs. Aycock, Berry, Cowper, Donaho, Eure, Ferebee, Hall, McLean, Pitchford, Wiggins and Williams.

Ordered, To be engrossed.

The House of Commons did not concur in the recommendation of the additional name for Justice of the Peace for Cleaveland county, transmitted from the Senate.

The Senate concurred in the recommendation of additional names as Justice of the Peace for Lincoln county, transmitted from the House.

On motion of Mr. Williams,

Leave of absence was granted to Mr. Pitchford until Wednesday next.

On motion of Mr. Cowles,

The Senate adjourned.

MONDAY, February 19, 1866.

Prayer by Rev. J. M. Atkinson.

The Speaker designated Messrs. Blount, Bullock and Hall as the Committee on Enrolled Bills for the present week.

Received a message from the House of Commons, informing the Senate that Messrs. Kenan, Houston, Jones, Campbell and Shaw compose the House branch of the Committee on Enrolled Bills.

The Senate concurred in the recommendations for Justices of the Peace for the counties of McDowell and Alamance, transmitted from the House of Commons.

Mr. Keener presented a memorial from a number of citizens of Cherokee county, praying for a new county. Referred to the Committee on Propositions and Grievances.

Reports from Standing Committees were submitted and filed as follows, to wit:

By Mr. Carter, from the Committee on the Judiciary:

H. 138, engrossed resolutions accepting a donation of lands by the Congress of the United States under the act approved July 2nd, 1862, recommending its passage.

By Mr. Arendell, from the Committee on Corporations:

H. 153, engrossed bill to incorporate the Rudisill Gold Mining Company, in the county of Mecklenburg, North Carolina, recommending its passage.

H. 155, engrossed bill to incorporate "The Bladen Land Company," with favorable recommendation.

H. R. 121, engrossed resolution authorizing certain proceedings against "The Cape Fear Navigation Company," being read the third time, passed.

Ordered, To be enrolled.

Bills, &c., of the titles following being read the second time, were disposed of, as follows, to wit:

S. 47, bill to amend an act entitled "An act to incorporate the Western North Carolina Railroad Company." Referred to the Committee on Internal Improvements.

S. 92, bill to give original jurisdiction to the Supreme Court in certain cases. Passed and filed for third reading.

H. 113, engrossed bill to incorporate the North Carolina Immigration Company. Laid on the table.

S. 105, bill to amend an act entitled "An act for the relief of Landlords." Passed second reading and filed.

H. 107, engrossed bill to authorize the formation of the English and American Wool and Vine Growing, Manufacturing, Mining and Agricultural Association in the United States of America. Laid on the table.

S. 123, bill concerning indictments in the Courts of Oyer and Terminer. Passed and filed for third reading.

S. R. 124, bill declaring what debts are valid and what not valid under the ordinance of the Convention. Laid on the table.

S. R. 125, resolution making appropriations for the Governor's Mansion. Passed and filed for third reading.

H. 173, engrossed bill to establish a Board of Commissioners of Navigation. Rejected.

S. 129, bill to provide for the collection of taxes of 1865 in counties where no Sheriff or other officer was qualified under the Revenue Ordinance of the Convention. Passed and filed for third reading.

H. 177, engrossed bill to regulate salaries and fees.

The question being "Shall the bill pass its second reading?"

Mr. Jones, of Columbus, moved to strike out the words "*two thousand dollars*" as the salary of the Public Treasurer, and insert the words "*two thousand, five hundred dollars,*" and the motion prevailed.

Mr. Leitch, of Robeson, moved to amend by striking out the words "*twenty-five hundred dollars*" as the salary of the Supreme and Superior Court Judges, and insert the words "*three thousand dollars,*" and it was not adopted.

Mr. Jones, of Columbus, move to strike out the words "*five hundred dollars*" as the salary of the Private Secretary of the Governor, and insert the words "*one thousand dollars.*"

And the question being thereon was put and

Decided in the affirmative, { Yeas,..... 29 / Nays,..... 4

On motion of Mr. Ferebee,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Blount, Bogle, Bynum, Carter, Covington, Coward, Cowper, Donaho, Eure, Garner, Gash, Gorrell, Hall, Harris, of Rutherford, Isbell, Jones, of Columbus, Jones, of Wake, Keener, Leitch, of Robeson, McEachern, McLean, Morehead, Morgan, Shober, Tayloe, Wiggins, Williams and Winstead.

Those who voted in the negative are:

Messrs. Aycock, Cowles, Ferebee and McCleese.

Mr. Shober moved to amend, by striking out the words "*twenty dollars,*" wherever it occurs, as the amount to be paid the Attorney General and Solicitors for their attendance upon terms of the Superior Court, and insert the words "*thirty dollars*" in lieu thereof, and insert the words "*fifty per cent. in addition to*" before the words "*the fees allowed in chapter* 102, *Revised Code,*" in reference to the fees to be paid the Attorney General and Solicitors.

Mr. Covington moved to amend the amendment by striking

out the words "*fifty per cent.*" and insert the words "*forty per cent.*," and the motion did not prevail.

Mr. Bogle moved to amend the amendment, by striking out the words "*thirty dollars*" and insert the words "*forty dollars*," and it was not adopted.

The question recurring upon the amendment of Mr. Shober, was put, and

Decided in the affirmative, { Yeas, ... 20, Nays, ... 10.

On motion of Mr. Cowper,

The yeas and nays were ordered.

Those who voted in the affirmative are:

Messrs. Arendell, Blount, Bogle, Carter, Covington, Coward, Donaho, Gash, Hall, Isbell, Jones, of Columbus, Jones, of Wake, Keener, Leitch, of Robeson, McEachern, McLean, Morehead, Morgan, Shober and Winstead.

Those who voted in the negative are:

Messrs. Aycock, Black, Bullock, Cowles, Cowper, Ferebee, Gorrell, Harris, of Rutherford, Wiggins and Williams.

Mr. Carter moved to amend the first section by adding thereto the following proviso:

"*Provided*, That the salaries and fees hereinbefore fixed are to be regarded as payable in currency of the United States, and may be hereafter reduced by the General Assembly, but this reduction shall not be below the present relative value of gold to said currency, and shall, in that case, be payable in gold"; and it was adopted.

Mr. Arendell moved to amend, by adding to the first section the following words: "*the Messenger in Governor's office four hundred dollars.*"

Mr. Bogle moved to amend the amendment, by striking out "*four*" and inserting "*five*"; and the amendment prevailed.

The amendment, as amended, was adopted.

The question then being, "Shall the bill, as amended, pass its socond reading?" was put, and

Decided in the affirmative, { Yeas, ... 18, Nays, ... 13.

On motion of Mr. Gorrell,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Blount, Bogle, Carter, Covington, Donaho, Garner, Gash, Isbell, Jones, of Columbus, Jones, of Wake, Keener, McLean, Morehead, Morgan, Shober, Tayloe and Winstead.

Those who voted in the negative are:

Messrs. Aycock, Black, Bullock, Coward, Cowles, Cowper, Ferebee, Gorrell, Harris, of Rutherford, Leitch, of Robeson, McCleese, Wiggins and Williams.

Mr. Jones, of Columbus, moved that the rules be suspended and the bill be put upon its third reading, and the question being thereon, was put, and two-thirds vote being required,

Decided in the negative, { Yeas, ... 16, Nays, ... 16.

On motion of Mr. Gorrell,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Bogle, Bynum, Carter, Coward, Cowles, Donaho, Eure, Gash, Isbell, Jones, of Columbus, Keener, Morgan, Shober, Tayloe and Winstead.

Those who voted in the negative are:

Messrs. Aycock, Black, Blount, Bullock, Covington, Cowper, Ferebee, Garner, Gorrell, Harris, of Rutherford, Leitch, of Robeson, McCleese, McLean, Morehead, Wiggins and Williams.

Mr. Carter moved to suspend the rules, and place the bill (S. P. 48,) to be entitled An act for the relief of Wm. B. Campbell, sheriff of Beaufort county, on its several readings, and the motion prevailed.

Mr. Arendell moved to amend so as to include George Dill, sheriff of Carteret county, and A. C. Latham, sheriff of Cra-

ven county, within the operations of the bill; and the amendment was adopted.

The bill, as amended, passed.

Ordered, To be engrossed.

Bills, &c., of the following titles, transmitted from the House of Commons, were read the first time, referred or otherwise ordered, as follows, to wit:

H. 185, engrossed bill to incorporate the inhabitants of the town of Wilmington.

On motion of Mr. Hall,

The rules were suspended, and the bill passed its several readings.

Ordered, To be enrolled.

H. 169, engrossed bill to incorporate Mystic Tie Lodge, No. 237, in the town of Marion, McDowell county. Filed.

H. 193, engrossed bill to amend an act incorporating the town of Lenoir, in Caldwell county. Filed.

H. 198, engrossed bill for the relief of the President, Directors and Company of the Washington Toll Bridge. Filed.

H. 86, engrossed bill to punish seditious language, insurrections and rebellions in the State. Referred to the Judiciary.

H. 184, engrossed bill to empower the Court of Pleas and Quarter Sessions to authorize Executors, Administrators and Guardians to sell for cash. To the Judiciary.

H. 197, engrossed bill to authorize the County Court of Cumberland to appoint Inspectors of Naval Stores. Filed.

H. 198, engrossed bill to re-enact the 4th section, 102d chapter, Revised Code. To the Judiciary.

On motion of Mr. Covington,

The Senate adjourned.

TUESDAY, FEBRUARY 20, 1865.

Prayer by the Rev. N. B. Cobb.

Reports from Standing and Select Committees were submitted and filed, as follows, viz:

By Mr. Wiggins, from the Committee on Finance:

Resolutions in reference to stamp tax, asking to be discharged from the further consideration thereof, as the subject matter had been considered in framing and preparing the revenue bill.

Discharged accordingly.

By Mr. Black, from the Committee on Propositions and Grievances:

S. R. 110, resolution instructing the Public Treasurer to pay over to the Trustee of the county of Randolph, two hundred and sixty dollars, with recommendation that it do pass.

On motion of Mr. Black,

The rules were suspended, and the resolution placed upon its several readings.

Mr. Bynum moved to amend by adding the following additional resolution, to wit:

"*Resolved further*, That the Public Treasurer be, and he is hereby authorized to refund to the County Trustee of any county of the State, in which Courts of Oyer and Terminer have been held since the passage of said revenue ordinance, any taxes, fines and forfeitures, heretofore paid into the office of the County Trustee for county purposes, but which, under said ordinance, have been or may be paid into the State Treasury by the sheriffs of the counties"; and it was adopted.

The resolution then passed.

Ordered, To be engrossed.

By Mr. Bynum, from the Committee on the Judiciary:

H. 198, engrossed bill to re-enact the 4th section, 102 ch. Revised Code, recommending its passage.

By Mr. Morehead, from the same committee:

H. 86, engrossed bill to punish seditious language, insur-

rections and rebellions in the State, with recommendation that it do pass.

By Mr. Carter, from the same committee:

S. 135, bill to amend the 4th section of chapter 35, Revised Code, relating to fugitives from justice, with a recommendation favorable to its passage.

By Mr. Bynum, from the Joint Select Committee, to whom was referred so much of the Governor's Message as relates to a work, entitled "Sketches of Lower North-Carolina."

S. R. 141, resolutions in reference to "Sketches of Lower North-Carolina," recommending its passage.

Messrs. Ferebee and McLean presented additional names as Justices of the Peace for the counties of Camden and Cumberland, which were approved and transmitted to the House of Commons.

Bills, &c., of the titles following were introduced, passed their first reading, filed or referred, as follows, to wit:

By Mr. Arendell: A bill (S. 142,) to be entitled "An act to consolidate the North-Carolina Railroad Company and the Atlantic and North-Carolina Railroad Company." Referred to the Judiciary.

From the House: Engrossed bill (H. 83,) to punish persons pursuing and injuring horses and other live stock, with intent to steal them.

Engrossed bill (H. 84,) to prevent wilful trespass on lands, and stealing any kind of property therefrom.

Engrossed bill (H. 85,) to punish vagrancy.

Engrossed bill (H. 87,) to prevent enticing servants from fulfilling their contracts or harboring them.

Engrossed bill (H. 88,) to secure agricultural laborers their pay in kind.

Engrossed bill (H. 89,) more effectually to secure the maintenance of bastard children and the payment of fines and costs on conviction in criminal cases.

Engrossed bill (H. 90,) to establish work houses or houses of correction in the several counties of the State.

Engrossed bill (H. 156,) to legalize the transfer of registered bonds of this State to bearer.

Engrossed bill (H. 172,) to repeal so much of the twentieth section of an act, entitled "An act to change the jurisdiction of the courts and the rules of pleading therein," ratified the 11th day of September, 1861, as requires executors to give security.

Engrossed bill (H. P. 50,) to incorporate "Little River Select School," in the county of Orange.

Engrossed bill (H. 154,) to authorize the construction of a toll-bridge across the Catawba River at or near Rock Island Factory, between the counties of Mecklenburg and Gaston.

Engrossed bill (H. 168,) to incorporate Stokes Lodge, No. 32, of Free and Accepted Masons in the town of Concord, in Cabarrus county.

Engrossed bill (H. 170,) to incorporate "Union Mining Company," in the county of Rowan, North Carolina.

Engrossed bill (H. 175,) to incorporate the Hiwassee Turnpike Company.

On motion of Mr. Cowles,

Ordered, That a message be sent to the House of Commons, proposing to go forthwith into the election for Solicitor for the 6th Judicial District.

Mr. Cowles placed in nomination the name of Mr. W. P. Caldwell, of Iredell county.

Mr. Shober nominated Mr. D. M. Furches, of Davie county.

Mr. Williams nominated Mr. A. J. Dargan, of Anson county.

Mr. Carter moved to reconsider the vote by which the Senate on yesterday rejected the engrossed bill (H. 128,) to establish a Board of Commissioners of Navigation, and the motion prevailed.

On motion of Mr. Carter,

It was laid on the table.

The House of Commons did not concur in the proposition to go forthwith into the election for Solicitor for the 6th Judicial District.

The Senate concurred in recommendations for Justices of the Peace for the counties of Nash, Washington, Bladen and Davidson, transmitted from the House.

Bills, &c., of the titles following being read the third time, were passed and ordered as follows, viz:

S. 92, bill to give original jurisdiction to the Supreme Court in certain cases.

Ordered, To be engrossed.

S. 105, bill to amend an act, entitled "An act for the relief of Landlords."

Ordered, To be engrossed.

S. 123, bill concerning indictments in the Courts of Oyer and Terminer.

Ordered, To be engrossed.

S. R. 125, making appropriation for the Governor's Mansion.

Ordered, To be engrossed.

S. 129, bill to provide for the collection of taxes of 1865 in counties where no Sheriff or other officer was qualified under the Revenue Ordinance of the Convention.

Ordered, To be engrossed.

H. 177, engrossed bill to regulate salaries and fees, being read the third time, and the question being on its passage,

Mr. Keener moved to amend by fixing the salary of the Secretary of State at "*twelve hundred and fifty dollars and twenty-five per cent. in addition to the fees allowed in Chapter 102, Revised Code*," and it was adopted.

Mr. Arendell moved to amend by adding to the second section, after the words "the Messenger in Governor's office, five hundred dollars," the following: "*Clerks of the Supreme, Superior and County Courts, Clerks and Masters in Equity, Sher-*

iffs, Jurors and Witnesses, fifty per cent. in addition to the fees allowed in Chapter 102, *Revised Code.*"

Mr. Ferebee moved to amend the amendment by inserting after the word "*Supreme,*" the words, "*Court five hundred dollars, and forty cents for recording as heretofore, besides the fees allowed in* 102 *Chapter, Revised Code,*" and it was adopted.

The question recurring upon the adoption of the amendment, as amended, was put and decided in the affirmative.

Mr. Morehead moved to amend by striking out the words, "*and Superior Courts*" after the words "*Judges of the Supreme,*" and insert the word "*Court,*" and insert after the words "twenty-five hundred dollars" the words "*and Judges of the Superior Court two thousand dollars.*"

Mr. Hall moved to amend the amendment as follows: "*that the salaries of the Judges of the Supreme and Superior Courts shall be the same as it was before the war and that the same shall be paid in gold or its equivalent,*" and it was not adopted.

The question being on the amendment proposed by Mr. Morehead, was put and

Decided in the negative, { Yeas, ... 13,
Nays, ... 19.

On motion of Mr. Morehead,

The yeas and nays being ordered.

Those who voted in the affirmative are,

Messrs. Aycock, Berry, Black, Bullock, Cowles, Cowper, Ferebee, Gorrell, Harris, of Franklin, Harris, of Rutherford, McLean, Morehead and Wiggins.

Those who voted in the negative are:

Messrs. Arendell, Blount, Bogle, Carter, Covington, Cowper, Donaho, Eure, Garner, Gash, Hall, Isbell, Jones, of Wake, Keener, Leitch, of Robeson, McEachern, Morgan, Shober and Winstead.

Mr. Leitch, of Robeson, moved to strike out the words "*the Judges of the Supreme and Superior Courts twenty-five hundred dollars.*"

Mr. Bogle moved to amend as follows, to wit: "*That the Judges of the Supreme and Superior Courts have a salary of three thousand dollars*";

And the question being thereon, was put, and

Decided in the negative, { Yeas, ... 1. Nays, ... 30.

On motion of Mr. Bogle,

The yeas and nays being ordered,

Mr. Bogle voted in the affirmative.

Those who voted in the negative are:

Messrs. Arendell, Aycock, Berry, Black, Blount, Bullock, Carter, Covington, Coward, Cowles, Cowper, Donaho, Eure, Ferebee, Garner, Gash, Gorrell, Harris, of Franklin, Harris, of Rutherford, Jones, of Columbus, Jones, of Wake, Keener, McEachern, McLean, Morehead, Morgan, Shober, Wiggins, Williams and Winstead.

Mr. Covington moved to amend as follows, to wit: "*The Judges of the Supreme Court shall receive three thousand dollars, and the Judges of the Superior Court two thousand five hundred dollars, and one hundred dollars for each extra term of the Superior Court.*"

And the question thereon being put, was

Decided in the negative, { Yeas, ... 7. Nays, ... 24.

On motion of Mr. Covington,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Bogle, Covington, Coward, Eure, Garner and McEachern.

Those who voted in the negative are:

Messrs. Aycock, Berry, Black, Blount, Bullock, Cowles, Cowper, Ferebee, Gash, Gorrell, Harris, of Franklin, Harris, of Rutherford, Howard, Isbell, Jones, of Columbus, Jones, of Wake, Keener, McLean, Morehead, Morgan, Tayloe, Wiggins Williams and Winstead.

The question recurring upon the amendment offered by Mr. Leitch, of Robeson, and being stated "Shall the words stand as a part of the bill?" was put, and

Decided in the affirmative, { Yeas, ... 32. Nays, ... 2.

On motion of Mr. Leitch, of Robeson,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Berry, Black, Blount, Bogle, Bullock, Bynum, Covington, Coward, Cowles, Cowper, Donaho, Eure, Ferebee, Garner, Gash, Gorrell, Harris, of Franklin, Harris, of Rutherford, Howard, Isbell, Jones, of Columbus, Jones, of Wake, Keener, McLean, Morehead, Morgan, Shober, Tayloe, Wiggins, Williams and Winstead.

Those who voted in the negative are:

Messrs. Leitch, of Robeson, and McEachern.

The question recurring, "Shall the bill pass its third reading?" was put, and

Decided in the affirmative, { Yeas, ... 21, Nays, ... 12.

On motion of Mr. Cowper,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Black, Blount, Bogle, Covington, Coward, Donaho, Garner, Gash, Harris, of Ruthford, Isbell, Jones, of Columbus, Jones, of Wake, Keener, McEachern, McLean, Morehead, Morgan, Shober, Tayloe and Winstead.

Those who voted in the negative are:

Messrs. Aycock, Berry, Bullock, Cowles, Cowper, Ferebee, Gorrell, Harris, of Franklin, Howard, Leitch, of Robeson, Wiggins and Williams.

A message was received from the House of Commons, transmitting the following resolution, which had been passed by the House, and in which they asked the concurrence of the Senate, viz:

Resolved, That a Joint Select Committee of two on the part of the Senate, and three on the part of the House, be appointed to inquire and report when the two Houses can adjourn without detriment to the public business.

The Senate concurred, and the Speaker designated Messrs. Covington and Harris, of Rutherford, as the Senate branch of said Committee.

Bills, &c., of the titles following being read the second time, were disposed of as follows, viz:

H. R. 128, engrossed resolutions accepting a donation of land by the Congress of the United States, under the act approved July 2d, 1862, passed second reading.

On motion of Mr. Arendell,

The rules were suspended, and the resolution passed its third reading.

Ordered, To be enrolled.

H. 197, engrossed bill to authorize the County Court of Cumberland to appoint Inspectors of Naval Stores.

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

Mr. McLean moved to strike out all after the enacting clause, in the second section, and, in lieu thereof, insert as follows:

"That the Inspectors of Naval Stores for the town of Fayetteville shall receive, as their fees, five cents for guaging and inspecting each cask of spirits of turpentine, and two and one half cents for each barrel of crude turpentine and rosin, which fees, in all cases, shall be paid by the purchaser; and if any Inspector shall demand, receive or exact any other fee, he shall be guilty of a misdemeanor, and, on conviction thereof in the County or Superior Court, shall be fined at the discretion of the same. *Provided, however*, That the foregoing shall not be so construed as to prohibit Inspectors from receiving such fees as are just and equitable for cooperage."

And it was adopted.

Mr. McLean further moved to amend the third section by striking out the words "*crude turpentine or spirits of turpentine,*" and insert, in lieu thereof, the words "*Naval Stores,*" and it was adopted.

The question recurring upon the passage of the bill its second reading, was put and decided in the affirmative.

On motion of Mr. Jones, of Wake,

The rules were suspended, and the bill, (S. P. 44,) to incorporate the Carolina Joint Stock and Insurance Company, placed upon its several readings.

The amendment proposed by the Committee on the Judiciary was adopted, and the bill passed.

Ordered, To be engrossed.

On motion of Mr. Bogle,

The Senate adjourned.

WEDNESDAY, February 21, 1866.

Prayer by Rev. H. Hardie.

Reports from Standing Committees were submitted, and filed as follows, viz:

By Mr. Winstead, from the Committee on the Judiciary:

H. 184, engrossed bill to empower the Courts of Pleas and Quarter Sessions to authorize executors, administrators and guardians to sell for cash, with a recommendation that it do pass.

By Mr. Bynum, from the Committee on Finance:

Memorial of citizens of Buncombe county in reference to taxes, asking to be discharged from its further consideration, as the prayer of said memorial is before the Legislature in various bills and resolutions now pending and under discussion.

Discharged accordingly.

A message was received from the House of Commons, trans-

mitting the names of Messrs. Smith, of Columbus, Blackmer and Hoke, as the House branch of the Committee on the subject of Adjournment.

A message proposing to go forthwith into an election for Solicitor of the 6th Judicial District, was received from the House.

The Senate concurred, and proceeded to vote *viva voce*, under the superintendence of Messrs. McEachern and Bullock, as follows, viz:

The following Senators voted for Mr. CALDWELL, viz:

Messrs. Arendell, Black, Blount, Bogle, Bullock, Bynum, Carter, Cowles, Garner, Gash, Gorrell, Harris, of Rutherford, Isbell, Jones, of Wake, Keener, Morehead, Tayloe and Wilson—18.

The following Senators voted for Mr. DARGAN, viz:

Messrs. Berry, Covington, Cowper, Ferebee, Hall, Harris, of Franklin, Howard, Leitch, of Robeson, McEachern, McLean, Stanford, Wiggins, Williams and Winstead—14.

The Senate concurred in recommendations for Justices of the Peace for the counties of Rockingham, Gaston and Polk, transmitted from the House.

A bill of the title following being introduced by Mr. Jones, of Wake, passed its first reading and referred to the Committee on Judiciary, viz:

Bill (S. 152,) to be entitled "An act to prevent prosecutions in certain cases."

H. 197, engrossed bill to authorize the County Court of Cumberland to appoint Inspectors of Naval Stores, being read the third time, passed.

Ordered, To be transmitted to the House of Commons for concurrence in the amendments.

S. 43, bill to be entitled "An act to establish a scale of depreciation of Confederate Currency," being read the second time, and the question being upon the amendment offered by

the minority of the Committee on the Depreciation of Confederate Currency, was put, and

Decided in the affirmative, { Yeas, ... 22. Nays, ... 11.

On motion of Mr. Morehead,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Aycock, Berry, Black, Bogle, Bynum, Carter, Covington, Coward, Cowles, Cowper, Eure, Ferebee, Garner, Gorrell, Harris, of Franklin, Jones, of Wake, McEachern, McLean, Morehead, Morgan, Wilson and Winstead.

Those who voted in the negative are:

Messrs. Arendell, Blount, Bullock, Gash, Harris, of Rutherford, Howard, Isbell, Keener, Leitch, of Robeson, Stanford and Wiggins.

Mr. McEachern, from the committee to superintend the election for Solicitor of the 6th Judicial District, submitted a report as follows, viz:

Whole number of votes cast 123. Necessary to a choice 62. Of which W. P. Caldwell received 66; A. J. Dargan 55; D. M. Furches 1; and Mr. Dowd 1. Mr. Caldwell having received a majority of the whole number of votes cast was duly elected.

Concurred in.

The question recurring upon the passage of the bill (S. 43,) to be entitled "An act to establish a scale of depreciation of Confederate Currency,"

Mr. Wilson offered an amendment, and the question being thereon,

On motion of Mr. Wilson,

The Senate adjourned.

THURSDAY, FEBRUARY 22, 1866.

Prayer by the Rev. R. S. Mason, D. D.

Reports from Standing Committees were submitted and filed as follows, viz:

By Mr. Howard, from the Committee on the Judiciary:

S. 28, bill to repeal section 3d, chapter 39, of an act passed at the first session of 1860–'61, entitled "An act to diminish costs on Equity sales for partition," recommending that it do not pass.

S. 69, bill for the relief of certain "Freedmen," with recommendation that it do not pass.

S. 86, bill to repeal that part of section 2d, chapter 68, Revised Code, which relates to bonds on marriage licenses, recommending its passage.

S. 152, bill to be entitled "An act to prevent prosecutions in certain cases, recommending that it do not pass.

By Mr. Wilson, from the same committee:

H. 100, engrossed bill to amend the 12th section of the 118th chapter of the Revised Code, recommending that it do not pass.

By Mr. Carter, from the same committee:

S. 142, bill to be entitled "An act to consolidate the North-Carolina Railroad Company and the Atlantic and North-Carolina Railroad Company," with a special report, recommending its passage.

The report is as follows, to wit:

"The committee believes that a union of the two roads would very greatly diminish their aggregate expenses, and would also lessen the cost, and facilitate the dispatch of transportation of all kinds over the roads.

Under this arrangement, cars loaded at Charlotte, or any other point west of Greensboro', will deliver their freight at Newbern or Morehead City, on the wharves, without breaking bulk, and without detention; thus securing an important if not indispensable advantage to the ports of our own State,

and making it possible for the two roads, in which the State owns so large a proportion of the stock, to compete with rival lines.

The decision of the question of consolidation is referred, by the bill, to the majority of the stockholders of each road; and it is believed by the committee that it may be safely entrusted to them, and that the interest of the State will be carefully guarded in the transaction, by the large representation to which she is entitled in general meetings of the stockholders."

Bills, &c., of the titles following being introduced, passed their first reading, filed or referred, as follows, to wit:

By Mr. Bulloek: A bill (S. 153,) for establishing a college for the education of teachers and ministers of the gospel of the colored race. To Committee on Education and Literary Fund.

By Mr. Bynum: A bill (S. 154,) to compensate Judges acting under ordinance of Convention. To the Judiciary.

From the House: Engrossed resolution (H. 213,) in regard to the papers in the office of the Clerk of the House of Commons.

The bill (S. 43,) to be entitled "An act to establish a scale of depreciation of Confederate currency," came up for consideration as the unfinished business.

The question being on the amendment offered by Mr. Wilson, to wit:

"*Be it further enacted*, That all contracts made during the war, based upon property, shall be solvable upon the basis of the value of such property as of the 20th May, 1861, and if paid in federal treasury or national bank notes, such payment shall be made in the value of such currency at the gold standard of the value thereof, at the time of such payment"; was put, and decided in the negative.

Mr. Aycock moved to re-consider the vote by which the Senate on yesterday adopted the scale of depreciation of Con-

federate currency, offered by the minority of the committee, and the motion prevailed.

Mr. Bynum offered a scale as an amendment to the amendment proposed by the minority, and it was adopted, there being counted ayes 18, nays 13.

The question then being upon the adoption of the scale proposed by Mr. Bynum,

On motion of Mr. Bynum,

The scale, as introduced by himself, with the accompanying bill, was ordered to be printed.

Mr. Carter introduced the following resolution, viz:

Resolved, That a message be sent to the House of Commons, informing that body that the Senate will adjourn today, at 12 o'clock, M., as a mark of profound respect to the memory of George Washington, the Father of his Country.

Adopted.

A message was received from the House of Commons, informing the Senate that the House had concurred in the amendments to the engrossed bill (H. 197,) to authorize the County Court of Cumberland to appoint Inspectors of Naval Stores.

Ordered, To be enrolled.

The Senate concurred in recommendations for Justices of the Peace for the counties of Wilkes, Gates, Catawba and Yancey, transmitted from the House.

Messrs. McEachern, Cowles and Bynum made recommendations for Justices of the Peace for the counties of Cabarrus, Yadkin and Catawba, which were approved and transmitted to the House.

A message was received from the House of Commons, informing the Senate that the House did not concur in the amendments to the bill (H. 177,) to regulate Salaries and Fees.

A further message informing the Senate that the House had passed the following resolution, in which the concurrence of the Senate was asked, viz:

Resolved, (the Senate concurring,) That a Joint Select Committee be raised, consisting of four on the part of the House of Commons and two on the part of the Senate, to take into consideration the policy and practicability of establishing a National Bank in the State of North-Carolina, to aid the State in its financial operations, and to supply the people thereof with a healthy currency, based upon a mortgage of real estate on the part of individuals, and the hypothecation of stocks on the part of the State, in order to raise a sufficient fund for the establishment of said bank; and that said committee report by bill or otherwise.

The resolution was adopted, and Messrs. Carter and Covington designated as the Senate branch of said Committee.

The hour of 12 o'clock having arrived, the Speaker adjourned the Senate.

FRIDAY, February 23, 1866.

Prayer by the Rev. A. Smedes, D. D.

On motion of Mr. Gash,

Leave of absence was granted to Mr. Bogle until Tuesday next.

Mr. Black introduced a resolution, proposing that from this time forward to the day of adjournment the Senate hold two sessions daily, unless circumstances make it necessary to depart from the rule.

Messrs. Blount, Covington, Williams and Winstead submitted recommendations for Justices of the Peace for the counties of Pitt, Union, Nash and Person, which were approved and transmitted to the House of Commons.

Mr. Covington, from the Committee on Finance, submitted a special report in behalf of a portion of that Committee, designated and requested to examine and compare the books and vouchers in the Comptroller's office, as follows, viz:

The Committee have carefully examined and compared each item of the several accounts of the Literary Fund receipts and disbursements, and the Sinking Fund receipts and disbursements, and have also counted, compared and cancelled all the coupons received by the Comptroller, as well as the vouchers for the various entries from the close of the fiscal year September 30, 1864, to the end of February, 1865, at which period of time all entries ceased on the books of the Office for reasons not necessary to mention.

During the occupation of Raleigh by the United States Army, and the continuance of the Provisional Government, the office of Comptroller was of course vacated.

At the recent session of this General Assembly, the former Comptroller, C. H. Brogden, Esq., was re-elected to that office and has entered upon the discharge of his duties.

The books and vouchers in the Comptroller's office exactly correspond and agree, and the undersigned cheerfully bear testimony to the order and system with which the office has been kept, and we think the Comptroller merits, as a matter of simple justice, the confidence and approval of this General Assembly.

Respectfully submitted.

D. A. COVINGTON,
M. L. HOLMES,
J. C. HARPER,
R. G. COWPER.

On motion of Mr. Jones, of Columbus,

Engrossed bill (H. 23,) to provide for the payment of the State debts contracted before the war was taken from the table and made the special order for Monday next, 26th inst.

Bills, &c., of the titles following being introduced, passed the first reading, and were filed or referred as follows, to wit:

By Mr. Harris, of Rutherford: A bill (S. 156,) to extend the

charter of the Wilmington, Charlotte and Rutherford Railroad. To Corporations.

By Mr. Cowper: A bill (S. 157,) to allow the Comptroller a Clerk. To Finance.

By. Mr. Carter: A bill (S. 158,) to authorize the Public Treasurer to receive and invest the land scrip donated to this State by Congress for the endowment of an Agricultural and Mechanical College. To the Judiciary.

By Mr. McLean: A resolution (S. R. 159,) for the relief of the town of Fayetteville. To Finance.

From the House: Engrossed bill (H. P. 53,) to be entitled "An act to authorize Willis S. Grandy and others to continue a toll-bridge across Pasquotank river."

Engrossed bill (H. 214,) to revive and amend an act entitled "An act to incorporate Sulphur Springs Camp Ground" in the county of Cleaveland.

The engrossed bill (H. 177,) to regulate salaries and fees was considered as the unfinished business. The question being upon the motion of Mr. Howard, that the Senate recede from its amendments, was put and decided in the negative.

On motion of Mr. Carter,

A Committee of Conference was proposed to the House of Commons.

The Senate resumed the consideration of the bill (S. 43,) to be entitled "An act to establish a scale of depreciation of Confederate currency."

The question being the adoption of the scale proposed by Mr. Bynum, as an amendment to the scale proposed by the majority of the Committee, was put and decided in the affirmative.

Mr. Bynum offered the other sections of his bill as an amendment for the original bill.

Mr. Howard offered an amendment to the amendment, which was ordered to be printed.

On motion of Mr. Wilson,

The bill and amendments were referred to the Committee on the Judiciary.

On motion of Mr. Bynum,

The rules were suspended and the bill (S. 117,) to establish the rate of interest and repeal Chapter 114 of the Revised Code was taken from the table and placed upon its several readings, passed its second reading, and being read the third time, and the question being "Shall the bill pass its third reading?" was put and

Decided in the affirmative, { Yeas,..... 25 / Nays,..... 13

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Berry, Boyd, Bullock, Bynum, Carter, Covington, Coward, Eure, Ferebee, Garner, Gash, Hall, Harris, of Rutherford, Howard, Jones, of Columbus, Jones, of Wake, Keener, McEachern, McLean, Shober, Tayloe, Whitford, Wilson and Winstead.

Those who voted in the negative are:

Messrs. Blount, Cowles, Cowper, Gorrell, Harris, of Franklin, Latham, Leitch, of Robeson, Morgan, Pitchford, Snead, Stanford, Wiggins and Williams.

Ordered, To be engrossed.

Received a message from the House of Commons, informing the Senate that Messrs. Allison, Thompson, Manly and Murphy constitute the House branch of the Committee under the joint resolution upon the subject of a National Bank.

Messrs. Hoke, Blackmer, Henry and Kenan compose the House branch of the Committee of Conference on the bill (H. 177,) to regulate salaries and fees.

The Speaker designated Messrs. Carter and Leitch, of Robeson, as the Senate branch of the Committee of Conference.

The Senate concurred in the recommendations for Justices of the Peace for the counties of Lenoir, Brunswick and Edgecombe, transmitted from the House.

The Senate also concurred in the following resolution transmitted from the House, viz:

Resolved, That his Excellency, the Governor, be requested to have forthwith the flag of the United States hoisted upon the Capitol.

On motion of Mr. Bynum,

S. R. 141, resolution in reference to "Sketches of Lower North Carolina," was considered on its several readings.

Mr. Cowles moved to amend by inserting "*Trinity*" after "*Davidson*," and it was adopted.

As amended, the bill passed its second and third readings.

Ordered, To be engrossed.

A message was received from the House of Commons, transmitting the resolution (S. 133,) to print the acts of the sessions of 1862–'63 and 1864–'65, with an amendment, to insert after the word "*Acts*," the words "*and Journals*."

The Senate refused to concur.

Mr. Shober, from the Committee on Education and Literary Fund, by permission, reported,

S. 153, bill for establishing a college for the education of teachers and ministers of the gospel of the colored race, recommending its passage.

Mr. Shober, from the Committee on Internal Improvements, by permission, reported back S. 47, bill to amend an act, entitled "An act to incorporate the Western North-Carolina Railroad Company, with an accompanying bill, viz: "A bill to authorize the President of the Western North-Carolina Railroad Company to borrow money on the faith and credit of the State,' as a substitute therefor, recommending its passage.

On motion of Mr. Shober,

The rules were suspended, and the bill placed upon its several readings.

The question being upon the adoption of the substitute bill as an amendment, was put and decided in the affirmative.

The bill, as amended, passed its second reading, and the question "Shall the bill pass its third reading?" was put, and

Decided in the affirmative, { Yeas, ... 22. Nays, ... 11.

On motion of Mr. Howard,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Blount, Boyd, Bynum, Carter, Covington, Cowles, Gash, Hall, Harris, of Rutherford, Jones, of Columbus, Jones, of Wake, Keener, Leitch, of Robeson, McEachern, McLean, Morgan, Shober, Snead, Tayloe, Whitford and Wilson.

Those who voted in the negative are:

Messrs. Berry, Bullock, Cowper, Eure, Garner, Harris, of Franklin, Howard, Latham, Pitchford, Stanford and Winstead.

Ordered, To be engrossed.

On motion of Mr. Gash,

S. 86, bill to repeal that part of section 2, chapter 68, Revised Code, which relates to bonds on marriage licenses, was taken from the calendar and considered on its second reading.

Mr. Wilson offered an amendment, by way of substitute, and it was not adopted.

The bill passed its second reading, and being read the third time, and the question being on its passage was put, and

Decided in the affirmative, { Yeas, ... 22. Nays, ... 16.

On motion of Mr. Ferebee,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Blount, Boyd, Bullock, Bynum, Carter, Covington, Coward, Cowles, Cowper, Eure, Gash, Gorrell, Harris, of Rutherford, Howard, Jones, of Wake, Keener, Latham, Morgan, Shober, Tayloe and Wiggins.

Those who voted in the negative are:

Messrs. Berry, Black, Ferebee, Garner, Hall, Harris, of Franklin, Jones, of Columbus, Leitch, of Robeson, McEachern,

McLean, Pitchford, Snead, Stanford, Williams, Wilson and Winstead.

Ordered, To be engrossed.

Bills, &c., of the titles following being read the second time, were disposed of, as follows, viz:

S. 28, bill to repeal section 3, chapter 39, of an act passed at the first session of 1860–'61, entitled "An act to diminish costs on equity sales for partition." Rejected.

S. 69, bill for the relief of certain Freedmen. Rejected.

H. 100, engrossed bill to amend the 12th section of the 118th chapter of the Revised Code. Rejected.

H. 149, engrossed bill to amend the county line of Mitchell county, and to annex a part of Yancey county to the county of Mitchell, passed second reading.

On motion of Mr. Gash,

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

Ordered, To be enrolled.

S. 135, bill to amend the 4th section of chapter 35, Revised Code, relating to fugitives from justice, passed second reading.

On motion of Mr. Carter,

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

Ordered, To be engrossed.

H. 86, engrossed bill to punish seditious language, insurrections and rebellions in the State, passed and filed for third reading.

H. 184, engrossed bill to empower the Courts of Pleas and Quarter Sessions to authorize executors, administrators and guardians to sell for cash.

Mr. Latham moved to amend by inserting after the word "*Court*," the words "*a majority of the Justices being present*,"

And the question being thereon,

On motion of Mr. Whitford,

The Senate adjourned.

SATURDAY, FEBRUARY 24, 1866.

Reports of Standing and Select Committees were submitted and filed as follows, viz:

By Mr. Howard, from the Committee on the Judiciary:

H. 19, engrossed bill to prevent the discoutinuance of causes in certain cases, with a substitute, viz: A bill to prevent the abatement of suits in certain cases; recommending its passage.

H. 77, engrossed bill to restore jury trials in criminal cases to the Courts of Pleas and Quarter Sessions of this State, with the recommendation that it do pass.

S. 121, to authorize the arbitration of disputes by consent of parties, with recommendation that it do not pass.

S. 124, bill to compensate Judges acting under ordinance of the Convention, asking to be discharged from its further consideration, as it is a mere question of compensation by way of salaries or fees.

Discharged accordingly.

S. 158, bill to authorize the Public Treasurer to receive and invest the land scrip donated to this State by Congress for the endowment of an Agricultural and Mechanical College, recommending that it do pass.

By Mr. Bynum, from the same committee:

S. 43, bill to be entitled "An act to establish a scale of depreciation of Confederate currency," with a recommendation thae the substitute offered by Mr. Bynum be adopted, with an additional section, to wit:

"Sec. 6. *Be it further enacted*, That the scale of depreciation established by the 1st section of this act, shall be applied to contracts, as at the time they were made, subject, nevertheless, to the provisions of said section."

By Mr. Wiggins, from the Committee on Finance:

S. 157, bill to allow the Comptroller a clerk, recommending that it do not pass.

S. R. 159, resolution for the relief of the town of Fayetteville, recommending that it do pass.

By Mr. Jones, of Columbus, from the Joint Select Committee on the subject of a Stay Law:

S. 80, bill regulating the jurisdiction of the courts and for other purposes, asking to be discharged from its further consideration.

Discharged accordingly.

S. 120, bill to regulate the issuing of executions in the courts and by Justices of the Peace, asking to be discharged from its further consideration.

Discharged accordingly.

By Mr. Carter, from the Committee of Conference:

H. 177, engrossed bill to regulate salaries and fees, with recommendations as a compromise between the conflicting opinions of the two Houses.

By Mr. Covington, from the Joint Select Committee on Adjournment, a resolution, viz:

Resolved, That this General Assembly do adjourn *sine die*, on Monday, the 12th day of March next, at 6 o'clock, A. M., with a recommendation that it do pass.

By Mr. Howard, from the Committee on the Judiciary:

S. P. 38, bill to extend the limits of the town of Swansboro', Onslow county, and for other purposes, recommending its passage.

Mr. Latham submitted recommendations for Justices of the Peace for the county of Washington, which were approved and transmitted to the House.

On motion of Mr. Wilson,

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

The Senate concurred in the recommendation for Justices of the Peace for the counties of Orange, Cumberland and Currituck.

A message was received from the House of Commons, trans-

mitting a message from his Excellency, the Governor, responding to inquiry in relation to the State Salt Works.

The Senate concurred in the following resolution, transmitted from the House of Commons, viz:

Resolved, That this General Assembly adjourn *sine die*, on Monday, the 12th of March next at seven o'clock, A. M.

Received a message from the House of Commons, transmitting a petition of George Cole, a citizen of Richmond county. Referred to the Committee on Claims.

The House of Commons having concurred in the proposition to go forthwith into an election for one Trustee of the University, the Senate proceeded to ballot, under the superintendence of Messrs. Arendell and Black, in accordance with the joint agreement.

On motion of Mr. Cowper,

Leave of absence was granted to Mr. Garner until Monday next.

Mr. Shober stated that Messrs. Boner and Leach, of Davidson, were detained at home, by severe illness in their families,

Mr. Eure moved that the vote by which the Senate passed the bill (S. 117,) to establish the rate of interest and repeal chapter 114 of the Revised Code, be reconsidered,

And the question being thereon was put and

Decided in the affirmative, { Yeas,..... 24, Nays,..... 10.

On motion of Mr. Keener,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Berry, Black, Blount, Boyd, Bullock, Cowles, Cowper, Eure, Harris, of Franklin, Harris, of Rutherford, Isbell, Jones, of Columbus, Keener, Leitch, of Robeson, McEachern, McLean, Morehead, Morgan, Pitchford, Shober, Snead, Stanford and Wiggins.

Those who voted in the negative are:

Messrs. Bynum, Carter, Covington, Gash, Hall, Howard, Latham, McKoy, Wilson and Winstead.

Resolutions of the titles following being then introduced, were disposed of, as follows, viz:

By Mr. Whitford: Resolutions (S. R. 160,) concerning the Commissioners and the Secretary of the Sinking Fund. Referred to the Committee on Finance:

From the House: Resolution (H. 231,) of thanks to the President of the United States. Passed and

Ordered, To be enrolled.

Mr. Arendell, from the committee to superintend the election for one Trustee of the University, reported as follows, viz:

Whole number of votes cast 128. Necessary to a choice 65. Of which Mr. Bynum received 89; Mr. Hoke 38; and Mr. Haughton 1. Mr Bynum having received a majority of all the votes cast, was duly elected.

Concurred in.

The engrossed resolution (H. P. 43,) in favor of A. W. Fraps, passed its third reading.

Ordered, To be engrossed.

On motion of Mr. Gash,

The bill (S. 60,) to establish a Penitentiary and Work Houses, was taken from the table and made the special order for Tuesday next, 27th inst., at 12 o'clock, M.

On motion of Mr. Ferebee,

The bill (S. 82,) to amend an act, entitled "An act for the relief of Landlords," was taken from the table and placed on the calendar.

On motion of Mr. Arendell,

The engrossed resolution (H. R. 48,) making an appropriation for the Lunatic Asylum, was taken from the table and filed.

Bills, &c., of the titles following being read the second time, passed their second reading, and were otherwise disposed of, as follows, viz:

S. P. 47, bill to incorporate the Rock Island Manufacturing Company, in the county of Mecklenburg.

The question being upon the amendment proposed by the Committee on Corporations, limiting the period of incorporation to thirty years.

Mr. Jones, of Columbus, moved to lay the amendment, carrying the bill with it, upon the table, and the question being thereon, was put, and

Decided in the negative, { Yeas, ... 8. Nays, ... 27.

On motion of Mr. Jones, of Columbus,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Gorrell, Harris, of Rutherford, Jones, of Columbus, Morehead, Pitchford, Snead, Stanford and Winstead.

Those who voted in the negative are:

Messrs. Arendell, Berry, Black, Blount, Boyd, Bynum, Carter, Covington, Cowles, Cowper, Eure, Ferebee, Gash, Hall, Harris, of Franklin, Howard, Keener, Latham, Leitch, of Robeson, McEachern, McKoy, McLean, Shober, Whitford, Wiggins, Williams and Wilson.

The question recurring on the passage of the amendment, was put, and

Decided in the affirmative, { Yeas, ... 21. Nays, ... 15.

On motion of Mr. Gorrell,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Black, Blount, Boyd, Bullock, Bynum, Cowper, Gorrell, Hall, Harris, of Franklin, Harris, of Rutherford, Howard, Jones, of Columbus, Leitch, of Robeson, Morehead, Pitchford, Snead, Tayloe, Wiggins, Williams and Winstead.

Those who voted in the negative are:

Messrs. Berry, Carter, Covington, Cowles, Eure, Ferebee, Gash, Keener, Latham, McEachern, McKoy, McLean, Shober, Whitford and Wilson.

The bill, as amended, passed its second reading.

On motion of Mr. Wilson,

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

Ordered, To be engrossed.

H. 174, engrossed bill to consolidate and amend the several acts heretofore passed for the better regulation of the town of Jacksonville, in Onslow county.

On motion of Mr. Arendell,

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

Ordered, to be enrolled.

S. P. 52, bill to amend an act, entitled "An act to amend an act to charter the town of Salisbury.

Mr. Arendell proposed an additional section, to wit:

"*Be it further enacted*, That this act shall go into force and effect upon its ratification"; and it was adopted.

The bill then passed.

On motion of Mr. Arendell,

The rules were suspended and it passed its final reading.

Ordered, To be engrossed.

H. 193, engrossed bill to amend an act incorporating the town of Lenoir, in Caldwell county.

On motion of Mr. Bynum,

The rules were suspended and the bill passed its third readings.

Ordered, To be enrolled.

H. 145, engrossed bill to incorporate the Leaksville Male Academy, in the county of Rockingham, and to appoint the Trustees thereof.

On motion of Mr. Arendell,

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

Ordered, To be enrolled.

S. P. 38, bill to extend the limits of the town of Swansboro', Onslow county, and for other purposes.

On motion of Mr. Howard,

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

Ordered, To be engrossed.

The Speaker announced the following communication to the Senate, viz:

RALEIGH, N. C., February 24th, 1866.

HON. THOS. SETTLE,
Speaker of the Senate:

SIR: I hereby tender my resignation as Senator from the third District, composed of the counties of Chowan and Gates.

With sentiments of great respect for yourself, and each member of the Senate, I am,

Very respectfully, your ob't servant,
M. L. EURE.

Mr. Cowper introduced the following resolution, viz:

Resolved, That the Speaker of the Senate be authorized to issue writs of election to the sheriffs of the counties of Chowan and Gates, ordering an election to be held on the 5th day of March next, for a Senator from that District to fill the vacancy occasioned by the resignation of M. L. Eure.

Adopted.

The resolution of Mr. Black, in reference to the daily sessions of the Senate, was considered.

Mr. Bynum moved to amend, by striking out all after the word "*Resolved*," and insert as follows:

"That from and after to-day, the daily sessions of the Senate shall be as follows, to wit: Meet at 10 A. M., and adjourn at 2 P. M.; meet at 7 P. M., and adjourn at 10 P. M."

And the amendment was adopted.

Mr. Wilson moved to strike out "7 *P. M.*" and insert "7½ *P. M.*" and the amendment prevailed.

The resolution as amended, was adopted.

On motion of Mr. McLean,

The Senate adjourned.

MONDAY, February 26, 1866.

Prayer by Rev. J. M. Atkinson.

The Speaker designated Messrs. Isbell, Keener and Latham as constituting the Committee on Enrolled Bills.

Mr. Cowles, from the Committee on Claims, to whom was referred the petition of George Cole, asked to be discharged from its further consideration, as the payment of such claims by the Legislature would be setting a dangerous precedent and opening the door of the Treasury to certain bankruptcy.

Discharged accordingly.

A message was received from the House of Commons, announcing Messrs. Wilson, Webb, Mott, Blair and Farrow as the Committee on Enrolled Bills for the present week.

The House of Commons having concurred in the report of the Committee of Conference on the engrossed bill (H. 177,) to regulate salaries and fees, transmitted the same to the Senate.

The Senate concurred in the report.

Ordered, To be enrolled.

Bills, &c., of the titles following were introduced, passed their first reading, and were disposed of, as follows, to wit:

By Mr. Carter: A bill (S. 162,) to extend the terms of office of certain County office. Referred to the Committee on the Judiciary.

From the House: Engrossed bill (H. 194,) to change the jurisdiction of the Courts and the rales of pleading therein. Ordered to be printed and made the special order for Wednesday, 28th inst.

The Senate resumed the consideration of the engrossed bill

(H. 184,) to empower the Courts of Pleas and Quarter Sessions to authorize Executors, Administrators and Guadians to sell for cash, as the unfinished business of Friday last, the pending question being upon the adoption of the amendment of Mr. Latham, to insert in the first section after the word "*Court*" the words "*a majority of the Justices being present*," and the amendment was adopted.

The question recurring upon the passage of the bill its second reading, was put and

Decided in the negative, { Yeas,..... 11, Nays,..... 22.

On motion of Mr. Carter,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Black, Boyd, Carter, Cowles, Gorrell, Isbell, Keener, Morgan, Pitchford and Shober.

Those who voted in the negative are,

Messrs. Berry, Blount, Bullock, Bynum, Covington, Cowper, Ferebee, Garner, Gash, Hall, Harris, of Franklin, Harris, of Rutherford, Jones, of Columbus, Latham, Leitch, of Robeson, McEachern, McKoy, McLean, Stanford, Wiggins, Williams and Wilson.

The engrossed bill (H. 86,) to punish seditious language, insurrections and rebellions in the State was considered upon its third reading.

Mr. Leitch, of Robeson, moved to lay the bill on the table, and the question being thereon was put, and

Decided in the negative, { Yeas, ... 7. Nays, ... 23.

On motion of Mr. Carter,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Ferebee, Hall, Harris, of Franklin, Leitch, of Robeson, McKoy, McLean and Wilson.

Those who voted in the negative are:

Messrs. Arendell, Berry, Black, Blount, Boyd, Bynum, Car-

ter, Cowles, Cowper, Garner, Gash, Jones, of Columbus, Keener, Latham, McEachern, Morgan, Pitchford, Shober, Snead, Stanford, Tayloe, Wiggins and Winstead.

The question recurring upon the passage of the bill was put and

Decided in the affirmative, { Yeas, ... 22, Nays, ... 9.

On motion of Mr. Leitch, of Robeson,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Berry, Black, Blount, Boyd, Bynum, Carter, Covington, Cowles, Garner, Harris, of Rutherford, Jones, of Columbus, Keener, Latham, McEachern, Pitchford, Shober, Tayloe, Wiggins, Williams, Wilson and Winstead.

Those who voted in the negative are:

Messrs. Ferebee, Gash, Hall, Harris, of Franklin, Leitch, of Robeson, McKoy, McLean, Morgan and Stanford.

Ordered, To be enrolled.

Bills, &c., of the titles following being read the second time, the following proceedings were had, viz:

H. 19, engrossed bill to prevent the discontinuance of causes in certain cases.

The question being upon the substitute offered by the Committee on the Judiciary, to wit: A bill to prevent the abatement of suits in certain cases, was put and decided in the affirmative.

The bill, as amended, passed its second reading, and was filed.

H. R. 48, engrossed resolution making appropriation for the Lunatic Asylum.

The question being stated, "Shall this resolution pass its second reading?" was put, and

Decided in the affirmative, { Yeas, ... 22, Nays, ... 11.

On motion of Mr. Carter,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Blount, Boyd, Bynum, Covington, Ferebee, Gash, Harris, of Franklin, Isbell, Jones, of Columbus, Keener, Latham, Leitch, of Robeson, McEachern, McLean, Morgan, Pitchford, Shober, Stanford, Wiggins, Wilson and Winstead.

Those who voted in the negative are:

Messrs. Berry, Black, Carter, Cowles, Cowper, Gorrell, Hall, Harris, of Rutherford, McKoy, Snead and Williams.

H. 23, engrossed bill to provide for the payment of the State debt contracted before the war.

And the question pending thereon, the hour arriving,

The Senate adjourned until 7½ o'clock, P. M.

7½ o'clock, P. M.

The consideration of engrossed bill (H. 23,) to provide for the payment of the State debt contracted before the war, was resumed.

Mr. Cowles moved to lay it on the table,

And the question being thereon, was put, and

Decided in the negative, { Yeas, ... 8, Nays, ... 25.

On motion of Mr. Cowles,

The yeas and nays being ordered,

Those who voted in the affirmative are,

Messrs. Black, Blount, Cowles, Harris, of Franklin, Isbell, Pitchford, Stanford and Winstead.

Those who voted in the negative are:

Messrs. Arendell, Berry, Boyd, Carter, Covington, Cowper, Ferebee, Garner, Gash, Gorrell, Hall, Harris, of Rutherford, Jones, of Columbus, Keener, Latham, Leitch, of Robeson, McEachern, McKoy, McLean, Morgan, Snead, Tayloe, Whitford, Wiggins and Wilson.

The question recurring upon the passage of the bill,

Mr. Cowles moved to amend, by strking out all after the enacting clause in the third section, and insert as follows:

"That this act shall not go into operation until the first day of January, 1867."

And the question being thereon, the hour of 10 o'clock arriving, the Speaker adjourned the Senate.

TUESDAY, FEBRUARY 27, 1865.

Mr. Donaho was appointed on the Committee on Public Printing instead of Mr. Morehead, excused.

Mr. Arendell, from the Committee on Corporations, reported back the bill (S. 156,) to extend the charter of the Wilmington, Charlotte and Rutherford Railroad, recommending its passage.

Mr. Wilson introduced the following resolution, viz:

Resolved, That the Committee on the Lunatic Asylum be instructed to inquire into the propriety of providing by law that all dues to the Asylum shall be paid into the Treasury of the State, and also into the propriety of providing, by law, that the County Courts of the respective counties shall levy a tax for the support of the indigent insane from each, during the year 1865.

Adopted.

Bills, &c., of the titles following being introduced, passed their first reading and were disposed of, as follows, viz:

By Mr. McLean: A bill (S. P. 70,) to incorporate the Fayetteville Iron Works. Referred to Corporations.

From the House: Engrossed bill (H. 164,) to enable the Banks of the State to close their business. Filed.

Engrossed bill (H. 245,) to legalize the acts of the County Courts of Gaston and Lincoln counties. Filed.

The Senate resumed the consideration of the engrossed bill

(H. 23,) to provide for the payment of the State debt contracted before the war.

The question being upon the amendment offered by Mr. Cowles,

By unanimous consent, the amendment was withdrawn.

Mr. Cowles moved to amend by striking out the figures "1866" in the first section and insert the figures "1867."

And the question being thereon, was put and

Decided in the negative, { Yeas, ... 14, Nays, ... 23.

On motion of Mr. Wilson,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Black, Blount, Bynum, Cowles, Ferebee, Harris, of Franklin, Isbell, Keener, Pitchford, Snead, Stanford, Wiggins, Williams and Winstead.

Those who voted in the negative are:

Messrs. Arendell, Berry, Boner, Boyd, Carter, Covington, Coward, Cowper, Donaho, Garner, Gash, Hall, Harris, of Rutherford, Jones, of Columbus, Latham, Leitch, of Robeson, McEachern, McKoy, McLean, Morgan, Tayloe, Whitford and Wilson.

Mr. Cowles moved to amend by inserting in the first section after the word "*shall*" the word "*not*," and the question being thereon, was put and

Decided in the negative, { Yeas, ... 19. Nays, ... 19.

On motion of Mr. Cowles,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Black, Blount, Boyd, Bynum, Coward, Cowles, Ferebee, Gorrell, Harris, of Franklin, Harris, of Rutherford, Isbell, Keener, Latham, McKoy, Pitchford, Snead, Williams and Winstead.

Those who voted in the negative are:

Messrs. Berry, Boner, Carter, Covington, Cowper, Donaho,

Garner, Gash, Hall, Jones, of Columbus, Jones, of Wake, Leitch, of Robeson, McEachern, McLean, Morgan, Stanford, Tayloe, Wiggins and Wilson.

The Speaker voted with the negative.

Mr. Bynum moved to amend by striking out all after the word "*and*" in the sixteenth line, first section, and insert the words "*the interest accruing thereon shall be subject to taxation as other property of the State.*"

And the question being thereon, was put and

Decided in the affirmative, { Yeas, ... 18, Nays, ... 18.

On motion of Mr. Cowles,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Black, Blount, Boyd, Bynum, Cowles, Cowper, Ferebee, Gash, Gorrell, Harris, of Franklin, Isbell, Pitchford, Shober, Snead, Stanford, Whitford and Winstead.

Those who voted in the negative are:

Messrs. Berry, Carter, Covington, Donaho, Garner, Hall, Harris, of Rutherford, Jones, of Columbus, Jones, of Wake, Keener, Latham, Leitch, of Robeson, McEachern, McLean, Morgan, Tayloe, Wiggins and Wilson.

The Speaker voted in the affirmative.

The question recurring upon the passage of the bill, as amended its second reading,

Mr. Hall moved to amend by adding the following proviso to the first section, viz:

"*Provided*, That said tax shall not exceed the tax of money on interest"; and the amendment was adopted.

The question recurring upon the passage of the bill, was put, and it passed,

The second reading, { Yeas, ... 30, Nays, ... 8.

On motion of Mr. Carter,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Berry, Boner, Boyd, Carter, Covington, Cowper, Donaho, Ferebee, Garner, Gash, Hall, Harris, of Franklin, Harris, of Rutherford, Isbell, Jones, of Columbus, Jones, of Wake, Keener, Latham, Leitch, of Robeson, McEachern, McKoy, McLean, Morgan, Shober, Stanford, Tayloe, Whitford, Wiggins and Wilson.

Those who voted in the negative are:

Messrs. Black, Blount, Bynum, Cowles, Gorrell, Pitchford, Snead and Winstead.

Received a message from the House of Commons, transmitting recommendations for Justices of the Peace for the counties of Yadkin, Sampson, Stokes, Pitt, Buncombe and Jones.

Those for Yadkin were laid on the table, the others were approved and transmitted to the Governor for commission.

On motion of Mr. Gash,

S. 60, bill to establish a Penitentiary and Work Houses, heretofore made the special order for to-day, was taken up,

When the hour arriving, the Senate adjourned.

7½ o'clock, P. M.

The Senate resumed the consideration of the bill (S. 60,) to establish a Penitentiary and Work House, and the question being on its passage, was put, and decided in the negative.

Bills, &c., of the titles following being read the seeond time, were disposed of as follows, viz:

H. 77, engrossed bill to restore jury trials in criminal cases to the Courts of Pleas and Quarter Sessions of this State. Passed.

On motion of Mr. McLean,

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

Ordered, To be enrolled.

S. 120, bill to regulate the issuing of executions in the Courts, and by Justices of the Peace. Rejected.

S. 121, bill to authorize the arbitration of disputes by consent of parties.

On motion of Mr. Harris, of Rutherford,

Laid on the table.

H. 198, engrossed bill to re-enact the 4th section, 102d chapter Revivised Code. Passed.

On motion of Mr. Leitch, of Robeson,

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

Ordered, To be enrolled.

S. 142, bill to be entitled an act to consolidate the North-Carolina Railroad Company and the Atlantic and North-Carolina Railroad Company."

On motion of Mr. Harris, of Rutherford,

Made the special order for Thursday next, 1st March, at 12 o'clock.

On motion of Mr. Wiggins,

S. 109, bill to abolish the office of Superintendent of Public Schools, Treasurer of the Literary Fund, and for other purposes, was taken from the table and placed on the calendar.

On motion of Mr. Carter,

The Senate adjourned.

WEDNESDAY, February 28, 1866.

Prayer by Rev. H. Hardie.

Mr. Hall introduced a memorial and counter-memorial from citizens of New Hanover, in reference to the fees for inspection of turpentine and tar, and guaging of spirits. Referred to the Committee on Propositions and Grievances.

Reports from Standing and Select Committees were submitted and filed, as follows, viz:

By Mr. Bynum, from the committee on the Judiciary:

Resolution concerning the property of Wards, asking to be discharged from its further consideration.

Resolution concerning the provisions of an act concerning the Statute of Limitations, asking to be discharged from its further consideration, the matter of said resolution, having been embodied in an act already passed at the present session of the General Assembly.

Resolution in regard to the propriety of designating all freedmen and free persons of color by the one name of free negroes, asking to be discharged from the further consideration thereof, the matter involved being before the General Assembly in bills now pending.

Resolution in reference to the legal liabilities of administrators and guardians, arising out of the depreciated currency in their hands, asking to be discharged from the further consideration thereof.

Resolution concerning what laws of the State are in force or ought to be repealed, asking to be discharged from its further consideration, as the subject matter is already in the hands of a committee to carry into effect the substance of this resolution.

The committee was discharged from the further consideration of the several resolutions.

S. 64, bill to extend the operation of "An Ordinance appointing a Judge to determine State claims to property," recommending that it do pass.

S. 162, bill to extend the terms of office of certain county officers, recommending its passage.

By Mr. McKoy, from the same committee:

S. P. 24, bill to incorporate the Mining, Manufacturing and Improvement Company, with recommending that it do not pass.

S. P. 25, bill to incorporate the American Industrial Agency, with recommendation unfavorable to its passage.

By Mr. Wilson, from the same committee:

S. 77, bill to enable sheriffs and tax collectors to collect arrearages of taxes for the year 1864, with an amendment, recommending its passage.

By Mr. Cowles, from the Committee on Claims:

S. R. 166, resolution in favor of Cherokee Indians, introduced in response to petitions from said Indians, recommending its passage.

The Senate concurred in recommendations for Justices of the Peace for Mecklenburg county, transmitted from the House of Commons.

Mr. Gash introduced the following resolution, viz:

Resolved, That the Committee on Public Buildings be instructed to inquire into the necessity and propriety of removing the water closets out of the Capitol, and locating them elsewhere, and report by bill or otherwise.

Adopted.

Bills, &c., of the titles following being introduced, were read the first time, passed and ordered as follows, viz:

By Mr. Bynum: Resolutions (S. R. 167,) to maintain the faith and credit of the State. Ordered to be printed.

By Mr. Hall: Resolution (S. P. R. 71,) in favor of S. R. Bunting. To Committee on Claims.

By Mr. Covington: Resolution (S. R. 168,) in favor of certain disabled soldiers.

On motion of Mr. Carter,

The rules were suspended, and the resolution passed its several readings.

Ordered, To be engrossed.

By Mr. Hall: A bill (S. P. 72,) to incorporate the Yadkin and Cape Fear Canal Company. Referred to the Committee on Corporations.

By Mr. Jones, of Wake: A bill (S. P. 73,) to charter the City of Raleigh. To Committee on Corporations.

On motion of Mr. Cowles,

S. R. 166, resolution in favor of Cherokee Indians, passed its several readings under a suspension of the rules.

Ordered, To be engrossed.

Engrossed bill (H. 194,) to change the jurisdiction of the Courts and the rules of pleading therein, heretofore made the special order for 12 o'clock to-day, was postponed until 8 o'clock P. M.

S. 109, bill to abolish the office of Superintendent of Public Schools, Treasurer of the Literary Fund and for other purposes, being read the second time, and the question being upon its passage,

Mr. Cowles moved to amend by striking out all after the enacting clause, and insert as follows, viz:

"That the office of Superintendent of Common Schools and Treasurer of the Literary Fund are hereby abolished, and that the Treasurer of the State is hereby authorized to take charge of and safely keep all the funds and assets now in the hands of the Treasurer of the Literary Fund, and shall be held accountable upon his official bond for the same.

Be it further enacted, That this act shall be in force from and after its ratification."

The question being thereon,

Mr. Wilson moved to amend the amendment by striking out all after the enacting clause, and insert as follows, viz:

"That the 27th section of chapter 66, of the Revised Code be, and is hereby, repealed.

Be it further enacted, That the President and Directors of the Literary Fund are hereby authorized and empowered, at discretion, to appoint a Superinteudent of the Common Schools in the State, at such salary as may be prescribed by said officers, for the purpose of keeping up the organization of the Common School System."

And pending the question thereon, the hour of 2 o'clock arriving,

The Speaker adjourned the Senate.

7½ O'clock, P. M.

Mr. Jones, of Columbus, moved a call of the Senate, and the motion prevailed. The Clerk proceeded to call the roll.

On motion of Mr. Jones, of Columbus,

Further proceedings under the call were suspended.

The Senate resumed the consideration of the bill (S. 109,) to abolish the office of Superintendent of Public Schools, Treasurer of the Literary Fund, and for other purposes.

The question being upon the amendment offered by Mr. Wilson, was put and decided in the negative.

The question then recurring upon the amendment offered by Mr. Cowles, it was not adopted.

The bill then passed its second reading.

On motion of Mr. Jones, of Columbus,

The engrossed bill (H. 194,) to change the jurisdiction of the courts and the rules of pleading therein, heretofore made the special order for 8 o'clock, P. M., this evening, was made the special order for to-morrow, Thursday, 1st of March, at 11 o'clock, A. M.

Bills of the titles following being considered on their second reading, passed and were otherwise ordered, as follows, viz:

H. 84, engrossed bill to prevent wilful trespass on lands, and stealing any kind of property therefrom.

On motion of Mr. Latham,

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

Ordered, To be enrolled.

H. 83, engrossed bill to punish persons pursuing and injuring horses and other live stock, with intent to steal them.

On motion of Mr. Ferebee,

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

Ordered, To be enrolled.

H. 85, engrossed bill to punish vagrancy.

On motion of Mr. Jones, of Columbus,

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

Ordered, To be enrolled.

H. 87, engrossed bill to prevent enticing servants from fulfilling their contracts, or harboring them.

On motion of Mr. Gorrell,

The rules were suspended, and the bill passed its final reading.

Ordered, To be enrolled.

H. 88, engrossed bill to secure to agricultural laborers their pay in kind.

On motion of Mr. Cowles,

The rules were suspended, and the bill passed its final reading.

Ordered, To be enrolled.

H. 89, engrossed bill more effectually to secure the maintenance of bastard children, and the payment of fines and costs on conviction in criminal cases.

On motion of Mr. Latham,

The rules were suspended, and the bill passed its final reading.

Ordered, To be enrolled.

H. 90, engrossed bill to establish Workhouses or Houses of Correction, in the several connties of the State.

On motion of Mr. Berry,

The rules were suspended, and the bill passed its final reading.

Ordered, To be enrolled.

Bills of the titles following were received from the House of Commons, read the first time, passed their first reading, and were otherwise disposed of, as follows, viz:

H. 82, engrossed bill concerning negroes and persons of color, or of mixed blood.

Mr. Carter moved that the rules be suspended, and the bill

be placed upon its second reading, and the question being thereon, was put, and

Decided in the negative, { Yeas, ... 16. Nays, ... 21.

On motion of Mr. Cowper,

The yeas and nays being ordered,

Those who voted in the affirmative, are:

Messrs. Arendell, Berry, Black, Blount, Boner, Boyd, Bynum, Carter, Donaho, Gash, Gorrell, Jones, of Columbus, Latham, Shober, Whitford and Winstead.

Those who voted in the negative are:

Messrs. Bullock, Covington, Cowles, Cowper, Ferebee, Garner, Harris, of Franklin, Harris, of Rutherford, Isbell, Jones, of Wake, Keener, Leitch, of Robeson, McKoy, Morgan, Pitchford, Snead, Stanford, Tayloe, Wiggins, Williams and Wilson.

Mr. Covington moved to make the bill the special order for Monday next, 5th March, at 11 o'clock.

Mr. Carter moved that it be made the special order for Friday, 2d March, at 11 o'clock, and the question being thereon, was put, and

Decided in the affirmative, { Yeas, ... 27. Nays, ... 10.

On motion of Mr. Carter,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Berry, Black, Blount, Boner, Boyd, Bynum, Carter, Cowper, Donaho, Garner, Gash, Gorrell, Harris, of Rutherford, Isbell, Jones, of Columbus, Jones, of Wake, Keener, Latham, Morgan, Pitchford, Shober, Stanford, Tayloe, Wiggins, Wilson and Winstead.

Those who voted in the negative are:

Messrs. Bullock, Covington, Cowles, Ferebee, Harris, of Franklin, Leitch, of Robeson, McKoy, Snead, Whitford and Williams.

H. 178, engrossed bill concerning assignments. Referred to the Committee on the Judiciary.

H. 267, engrossed bill in relation to the town of Goldsboro', in the county of Wayne. Referred to the Committee on Corporations.

On motion of Mr. Carter,

The vote by which the Senate rejected the bill (S. 60,) to establish a Penitentiary and County Work Houses, was reconsidered, and the bill laid upon the table.

Mr. Harris, of Rutherford, by permission, introduced the following resolution, viz:

Resolved, That from and after the 1st day of March, no member of the Senate shall be excused from his seat, until the close of the session.

The resolution lies over.

On motion of Mr. Carter,

The Senate adjourned.

THURSDAY, March 1, 1866.

Prayer by the Rev. R. S. Mason, D. D.

Mr. Howard presented a memorial from certain citizens of Edgecombe, asking an amendment to the law in reference to fences. Referred to the Committee on Agriculture.

Mr. Cowles, from the Committee on Claims, reported back resolution (S. P. R. 71,) in favor of S. R. Bunting with an amendment, recommending its passage.

On motion of Mr. Cowles,

The rules were suspended, and the resolution placed upon its several readings.

The question being upon the amendment offered by the Committee on Claims, viz:

"*Provided*, That the said S. R. Bunting shall be governed and restricted in all collections he may make under authority conferred by this resolution, by the scale fixing the depreciation of Confederate currency that may be hereafter adopted

by this General Assembly," was put, and the amendment was adopted.

The bill, as amended, passed its several readings.

Ordered, To be engrossed.

Messrs. Stanford and Black recommended additional names as Justices of the Peace for the counties of Duplin and Alamance, which were approved and transmitted to the House.

The Senate concurred in the recommendations for Justices of the Peace for the counties of Harnett and Macon, transmitted from the House of Commons.

The resolution, introduced by Mr. Harris, of Rutherford, in reference to the attendance of Senators for the balance of the session, was considered and rejected.

Mr. Pitchford introduced the following resolution, viz:

Resolved, That from and after to-day no Senator shall be allowed, at any one time, to speak for a greater length of time than fifteen minutes on any question in debate.

The resolution lies over.

Bills, &c., of the titles following being introduced, passed the first reading, and were referred as follows, viz:

By Mr. McLean: Resolution (S. 171,) to facilitate rafting of lumber and timber on the Cape Fear River above Fayetteville. To Internal Improvements.

From the House: Engrossed resolution (H. P. 49,) in favor of C. Keuster and Brother. To Claims.

Engrossed resolution (H. 189,) in favor of R. W. Best. To Claims.

S. 154, bill to compensate Judges acting under Ordinance of the Convention was referred to the Joint Select Committee on Salaries and Fees.

The hour of 11 o'clock arriving, the Senate considered the engrossed bill (H. 194,) to change the jurisdiction of the Courts and the rules of pleading therein, as the special order.

The bill was read by sections.

Mr. Latham moved to amend the first section by striking

out all after the word "*peace*" in the sixth line to the word "*except*" in the eighth line, and the motion did not prevail.

Mr. Howard moved to insert in the third line, first section, after the word "That" the words "*from and after the first day of July A. D.* 1866," and the amendment was adopted.

Mr. Howard further moved to amend the first section by adding the following proviso, viz:

"*Provided further*, That all writs of debts, assumpsit, covenant and account issued to Spring Term, 1866, shall be returned to Fall Term, 1866," and the amendment prevailed.

Mr. Carter moved to amend by adding to section third the words "*for the benefit of the debtor*," and the amendment was not adopted.

Mr. Howard moved to amend the third section by adding the following proviso, viz:

"*Provided*, Nothing contained in this section shall be held to revive dormant judgments," and the amendment was adopted.

Mr. Carter moved to amend the ninth section by adding the following words, viz:

"And that all deeds of trust and mortgages hereafter made, and judgments confessed to secure debts, shall be void as to creditors, unless it is expressly declared therein that the proceeds of sale thereunder shall be appropriated to the payment of all the debts and liabilities of the trustor or mortgagor equally *pro rata: Provided*, That the provisions of this section shall not apply to sheriffs or other public officers who may make a mortgage or deed in trust, to secure sureties to their official bonds: *And, provided, further*, That this act shall not apply to sales of land or other property, where the deed of trust or mortgage is taken at the time of sale, to secure any part of the purchase money thereof."

The question being thereon, was put and

Decided in the affirmative, { Yeas, ... 21,
Nays, ... 20.

On motion of Mr. Carter,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Aycock, Black, Boner, Bullock, Bynum, Carter, Covington, Cowper, Garner, Gash, Gorrell, Hall, Harris, of Rutherford, Jones, of Columbus, Latham, Leitch, of Robeson, Pitchford, Shober, Tayloe and Wiggins.

Those who voted in the negative are:

Messrs. Berry, Blount, Boyd, Cowles, Donaho, Ferebee, Harris, of Franklin, Howard, Isbell, Jones, of Wake, Keener, McCleese, McKoy, McLean, Morgan, Snead, Stanford, Williams, Wilson and Winstead.

Mr. Howard moved to amend the eleventh section by adding the following proviso, viz:

"*Provided*, That executors be, and they are hereby, required to give security as administrators are now required to do, unless otherwise directed by the will."

And the question being thereon, was put and

Decided in the negative, { Yeas, ... 17, Nays, ... 21.

On motion of Mr. Cowper,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs Aycock, Covington, Donaho, Ferebee, Garner, Gorrell, Hall, Howard, Jones, of Columbus, Latham, McCleese, McKoy, Shober, Snead, Stanford, Whitford and Wilson.

Those who voted in the negative are:

Messrs. Arendell, Berry, Black, Blount, Boner, Boyd, Bullock, Bynum, Carter, Cowles, Cowper, Gash, Harris, of Rutherford, Jones, of Wake, Keener, Leitch, of Robeson, McLean, Morgan, Pitchford, Wiggins and Winstead.

Mr. Gash moved to amend the fourteenth section, by inserting after the word "*Equity*," in the fifteenth line, the

words "*nor debts contracted since first day of May*, 1865"; and the amendment was adopted.

Mr. Carter moved to amend, by adding another section, as follows, viz:

"SEC. 15. *Be it further enacted*, That this act, in all its parts, shall be no longer operative after the 31st day of December, 1866; and that from and after that day, chapter 31 of the Revised Code, entitled 'Courts, County and Superior,' is hereby fully restored and enacted."

And the question being thereon, was put, and

Decided in the negative, { Yeas, ... 3, Nays, ... 36.

On motion of Mr. Cowles,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Carter, Harris, of Rutherford, and Leitch of Robeson.

Those who voted in the negative are:

Messrs. Aycock, Berry, Blount, Boner, Boyd, Bullock, Bynum, Covington, Cowles, Cowper, Donaho, Ferebee, Garner, Gash, Gorrell, Hall, Harris, of Franklin, Howard, Isbell, Jones, of Columbus, Jones, of Wake, Keener, Latham, McCleese, McKoy, McLean, Morgan, Pitchford, Shober, Snead, Stanford, Whitford, Wiggins, Williams, Wilson and Winstead.

Mr. Hall moved that the vote by which the Senate adopted the amendment offered by Mr. Carter to the ninth section, be reconsidered,

And the question being thereon, was put, and

Decided in the negative, { Yeas, ... 21, Nays, ... 21.

On motion of Mr. Hall,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Aycock, Berry, Blount, Boyd, Cowles, Donaho, Ferebee, Hall, Harris, of Franklin, Howard, Isbell, Jones, of Wake, Keener, Leitch, of Robeson, McCleese, McKoy, Stanford, Whitford, Williams, Wilson and Winstead.

Those who voted in the negative are:

Messrs. Arendell, Black, Boner, Bullock, Bynum, Carter, Covington, Cowper, Garner, Gash, Gorrell, Harris, of Rutherford, Jones, of Columbus, Latham, McLean, Morgan, Pitchford, Shober, Snead, Tayloe and Wiggins.

The Speaker voted in the negative.

The question recurring upon the passage of the bill its second reading,

On motion of Mr. Carter,

The Senate adjourned.

7½ o'clock, P. M.

The Senate resumed the consideration of the engrossed bill (H. 194,) to change the jurisdiction of the Courts and the rules of pleading therein, as the unfinished business.

The question being upon the passage of the bill its second reading, was put, and

Decided in the affirmative, { Yeas,..... 30, Nays,..... 6.

On motion of Mr. Wiggins,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Aycock, Berry, Black, Blount, Boner, Boyd, Bullock, Bynum, Covington, Cowles, Cowper, Donaho, Garner, Gorrell, Hall, Harris, of Franklin, Harris, of Rutherford, Howard, Jones, of Columbus, Jones, of Wake, Keener, Latham, McCleese, Morgan, Snead, Stanford, Tayloe, Wiggins and Winstead.

Those who voted in the negative are:

Messrs. Carter, Isbell, Leitch, of Robeson, McLean, Pitchford and Wilson.

Bills, &c., of the titles following were considered on their second reading, and were disposed of as follows, and other proceedings are had, viz:

S. 142, bill to be entitled "An act to consolidate the North-Carolina Railroad Company, and the Atlantic and North-Carolina Railroad Company."

Mr. Howard moved to refer the bill to the Committee on Internal Improvements,

An the question being thereon, was put, and

Decided in the affirmative, { Yeas, ... 20. / Nays, ... 19.

On motion of Mr. Arendell,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Aycock, Berry, Bullock, Ferebee, Garner, Hall, Harris, of Franklin, Howard, Jones, of Columbus, Jones, of Wake, Leitch, of Robeson, McCleese, McKoy, McLean, Pitchford, Stanford, Whitford, Wiggins, Williams and Wilson.

Those who voted in the negative are:

Messrs. Arendell, Black, Blount, Boner, Boyd, Bynum, Carter, Covington, Cowper, Donaho, Gash, Gorrell, Harris, of Rutherford, Isbell, Latham, Morgan, Snead, Tayloe and Winstead.

S. 64, bill to extend the operation of an "An ordinance appointing a Judge to determine State claims to property." Passed.

On motion of Mr. Bynum,

The rules were suspended, and the bill pased its third reading.

Ordered, To be engrossed.

S. 77, bill to enable Sheriffs and Tax Collectors to collect arrearages of taxes for the year 1864.

The question being upon the amendment of the Committee on the Judiciary, was put, and the amendment was adopted.

The question recurring upon the passage of the bill its second reading, was put, and

Decided in the negative, { Yeas, ... 10, / Nays, ... 27.

On motion of Mr. Leitch, of Robeson,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Aycock, Blount, Bynum, Covington, Hall, Harris, of Rutherford, Jones, of Wake, McKoy, McLean and Wilson.

Those who voted in the negative are:

Messrs. Arendell, Berry, Black, Boner, Boyd, Bullock, Carter, Cowper, Donaho, Ferebee, Garner, Gash, Gorrell, Howard, Isbell, Jones, of Columbus, Latham, Leitch, of Robeson, McCleese, Morgan, Pitchford, Snead, Stanford, Tayloe, Whitford, Wiggins and Winstead.

Mr. McCleese moved to reconsider the vote by which the Senate referred the bill (S. 142,) to be entitled "An act to consolidate the North Carolina Railroad Company and the Atlantic and North Carolina Railroad Company to the Committee on Internal Improvements," and the motion prevailed.

The question then recurring upon the motion to refer the bill to the Committee on Internal Improvements was put and

Decided in the negative, { Yeas, ... 19, Nays, ... 22.

On motion of Mr. Carter,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Aycock, Berry, Bullock, Cowper, Ferebee, Garner, Hall, Harris, of Franklin, Howard, Jones, of Columbus, Leitch, of Robeson, McKoy, McLean, Pitchford, Stanford, Whitford, Wiggins, Williams and Wilson.

Those who voted in the negative are:

Messrs. Arendell, Black, Blount, Boner, Boyd, Bynum, Carter, Covington, Cowles, Donaho, Gash, Gorrell, Harris, of Rutherford, Isbell, Jones, of Wake, Keener, Latham, Morgan, Shober, Snead, Tayloe and Winstead.

The question recurring upon the passage of the bill its second reading,

Mr. Jones, of Wake, moved to amend by adding the following amendment to the second section, viz:

"*Provided*, That when said Roads are consolidated, that it shall be the duty of the managers of said Road to allow their cars, when loaded with freight or merchandize, to pass on the different connecting roads, in which the State has an interest, upon such terms as the Board of Internal Improvements may direct;" and the amendment was adopted.

Mr. Hall moved to amend by adding at the end of the second section, the following proviso, viz:

"*Provided*, That in the election for ratification or rejection the individual stockholders alone shall be allowed to vote."

And pending the question thereon, the hour arriving,

The Senate adjourned.

FRIDAY, March 2, 1866.

Prayer by the Rev. A. Smedes, D. D.

Reports from Standing Committees were submitted and filed as follows, to wit:

By Mr. Cowles, from the Committee on Claims:

H. 189, engrossed resolution in favor of R. W. Best, recommending its passage.

By Mr. Wiggins, from the Committee on Finance:

S. R. 160, resolutions concerning the Commissioners and the Secretary of the Sinking Fund, recommending that it do not pass.

Mr. Wilson introduced the following resolution, viz:

Resolved, That the Committee on the Judiciary be, and are hereby instructed to inquire into the propriety of amending the law applicable to burglary, so as more effectually to secure the citizens of the State in their rights of property, and report by bill or otherwise.

Adopted.

The resolution introduced yesterday by Mr. Pitchford, viz:

Resolved, That from and after to-day, no Senator shall be allowed, at any one time, to speak for a greater length of time than fifteen minutes on any question in debate was considered.

Mr, Covington moved to amend by striking out "*fifteen*," and insert "*ten*."

Mr. Wilson moved to lay the bill and amendment on the table, and the question being thereon, was put, and

Decided in the negative, { Yeas, ... 12, Nays, ... 28.

On motion of Mr. Wilson,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Bynum, Carter, Ferebee, Garner, Keener, Leitch, of Robeson, McEachern, McKoy, Shober, Stanford, Tayloe and Wilson.

Those who voted in the negative are:

Messrs. Arendell, Aycock, Berry, Black, Blount, Boner, Boyd, Bullock, Covington, Cowper, Donaho, Gash, Gorrell, Hall, Harris, of Rutherford, Howard, Jones, of Columbus, Jones, of Wake, Latham, McCleese, McLean, Morgan, Pitchford, Snead, Whitford, Wiggins, Williams and Winstead.

The question recurring upon the amendment of Mr. Covington, was put, and

Decided in the negative, { Yeas, ... 18, Nays, ... 24.

On motion of Mr. Covington,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Aycock, Black, Boner, Bullock, Covington, Gash, Gorrell, Hall, Harris, of Rutherford, Latham, McKoy, Morgan, Snead, Stanford, Whitford, Wiggins, Williams and Winstead.

Those who voted in the negative are,

Messrs. Arendell, Berry, Blount, Boyd, Bynum, Carter, Cowles, Cowper, Donaho, Ferebee, Garner, Howard, Isbell,

Jones, of Columbus, Jones, of Wake, Keener, Leitch, of Robeson, McCleese, McEachern, McLean, Pitchford, Shober, Tayloe and Wilson.

The question recurring upon the adoption of the resolution, was put, and decided in the affirmative.

Bills, &c., of the titles following being introduced, passed their first reading, and were referred, as follows, viz:

By Mr. Morgan: Resolution (S. P. 77,) in favor of W. E. Mann. To Claims.

By Mr. Jones, of Columbus: Bill (S. P. 78,) for the relief of Goodman Durden, late sheriff of Washington county. To the Judiciary.

On motion of Mr. Ferebee,

H. 194, bill to change the jurisdiction of the Courts and the rules of pleading therein, was made the special order for Monday next, 5th inst., at 11 o'clock.

A message from the House of Commons informed the Senate that the House had concurred in the recommendations for Justices of the Peace for the county of Duplin, and laid on the table the recommendations for Alamance county.

The Senate concurred in the recommendation for Justices of the Peace for Lenoir and Granville counties, transmitted from the House.

Messrs. Cowper and Aycock made recommendations for Justices of the Peace for Hertford and Wayne counties, which were approved, and transmitted to the House.

The consideration of the bill (S. 142,) to be entitled "An act to consolidate the North Carolina Railroad Company and the Atlantic and North Carolina Railroad Company" was resumed as the unfinished business.

The question being upon the amendment of Mr. Hall.

By unanimous consent the amendment was withdrawn.

Mr. Hall moved to amend as follows, viz:

1st. In sixth line, second section, after the word "vote" insert "*of individual stockholders.*"

2d. Insert in the same section, ninth line, the word "*individual*" after the word "the."

3rd. In the same section, twentieth line, insert the word "*individual*" after the word "the."

4th. In the same section, twenty-fifth line, after the word "of" insert the word "*individual.*"

And the question being thereon,

Mr. Donaho moved to lay the bill and amendment on the table, and the question being thereon was put and

Decided in the affirmative, { Yeas, ... 23. Nays, ... 20.

On motion of Mr. Donaho,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Aycoock, Berry, Bullock, Covington, Cowper, Donaho, Ferebee, Garner, Hall, Harris, of Franklin, Howard, Jones, of Columbus, Leitch, of Robeson, McCleese, McKoy, McLean, Pitchford, Stanford, Whitford, Wiggins, Williams, Wilson and Winstead.

Those who voted in the negative are:

Messrs. Arendell, Black, Blount, Boner, Boyd, Bynum, Carter, Cowles, Gash, Gorrell, Harris, of Rutherford, Isbell, Jones, of Wake, Keener, Latham, McEachern, Morgan, Shober, Snead and Tayloe.

The engrossed bill (H. 82,) concerning negroes and persons of color or of mixed blood, on its second reading, was considered as the special order.

The bill was read by sections.

Mr. Carter moved to amend the fourth section by striking out all after, and inclusive of, the word "*Provided,*" and the question thereon was put, and

Decided in the negative, { Yeas, ... 15. Nays, ... 24.

On motion of Mr. Harris, of Rutherford,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Blount, Boner, Boyd, Bynum, Carter, Cowles, Cowper, Donaho, Gash, Gorrell, Leitch, of Robeson, Morgan, Shober, and Winstead.

Those who voted in the negative are:

Messrs. Aycock, Berry, Black, Bullock, Covington, Ferebee, Garner, Hall, Harris, of Franklin, Harris, of Rutherford, Howard, Jones, of Columbus, Jones, of Wake, Latham, McCleese, McEachern, McKoy, McLean, Morehead, Pitchford, Snead, Stanford, Wiggins and Wilson.

Mr. Carter moved to amend section ninth by striking out the words,

"*Provided*, That this section shall not go into effect until jurisdiction in matters relating to freedmen shall be fully committed to the courts of this State."

And the question thereon, was put and

Decided in the negative, { Yeas, ... 18, Nays, ... 26.

On motion of Mr. Carter,

The yeas and nays being ordered,

Those who voted in the affirmative are,

Messrs. Arendell, Black, Blount, Boner, Boyd, Bynum, Carter, Covington, Donaho, Gash, Gorrell, Harris, of Rutherford, Latham, Morgan, Shober. Tayloe, Whitford and Wilson,

Those who voted in the negative are:

Messrs. Aycock, Berry, Bullock, Cowles, Cowper, Ferebee, Garner, Hall, Harris, of Franklin, Howard, Isbell, Jones, of Columbus, Jones, of Wake, Keener, Leitch, of Robeson, McCleese, McEachern, McKoy, McLean, Morehead, Pitchford, Snead, Stanford, Wiggins, Williams and Winstead.

A message was received from the House of Commons, transmitting an engrossed bill (H. 200,) to be entitled "Revenue."

On motion of Mr. Gorrell,

Made special order for Tuesday next, March 6th, at 11 o'clock.

The hour arriving, the Senate adjourned.

7½ o'clock, P. M.

Bills of the titles following having been transmitted from the House, were read the first time and referred as follows, viz:

H. 195, engrossed bill to establish freehold homesteads for citizens of this State. To the Judiciary.

H. 261, engrossed bill to be entitled "An act to amend an act passed by the General Assembly at the session of 1838–'39," entitled "An act to incorporate the Trustees of Greensboro' Female College," in the county of Guilford.

On motion of Mr. Black,

The rules were suspended, and the bill placed upon its second and third readings, passed its second reading, and

Referred to the Judiciary.

H. 265, engrossed bill to amend the charter of the Governor's Creek Steamboat Transportation and Mining Company. To Corporations.

On motion of Mr. Winstead,

Leave of absence was granted to Mr. Williams until Monday next.

The consideration of the unfinished business, viz: engrossed bill (H. 82,) concerning negroes and persons of color or of mixed blood.

The question being upon the adoption of the ninth section,

Mr. Ferebee moved that it be stricken out, and the question thereon was put, and

Decided in the negative, { Yeas, ... 19. Nays, ... 20.

On motion of Mr. Ferebee,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Aycock, Bullock, Covington, Cowles, Cowper, Ferebee, Gorrell, Harris, of Franklin, Harris, of Rutherford, Jones, of Columbus, Jones, of Wake, Leitch, of Robeson, McCleese, McLean, Pitchford, Snead, Wiggins, Williams and Winstead.

Those who voted in the negative are:

Messrs. Arendell, Berry, Black, Blount, Boner, Boyd, Bynum, Carter, Donaho, Garner, Gash, Howard, Keener, Latham, McEachern, Morgan, Shober, Stanford, Tayloe and Wilson.

The several remaining sections were read without amendment being offered.

The question now recurring upon the passage of the bill, its second reading was put, and

Decided in the negative, { Yeas, ... 18. Nays, ... 22.

On motion of Mr. McLean,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Berry, Black, Boner, Boyd, Bynum, Carter, Donaho, Gash, Howard, Keener, Latham, McEachern, Shober, Stanford, Tayloe, Wilson and Winstead.

Those who voted in the negative are:

Messrs. Aycock, Blount, Bullock, Covington, Cowles, Cowper, Ferebee, Garner, Gorrell, Harris, of Franklin, Harris, of Rutherford, Jones, of Columbus, Jones, of Wake, Leiteh, of Robeson, McCleese, McKoy, MeLean, Morgan, Pitchford, Snead, Wiggins and Williams.

Bills, &c., of the titles following being read the second time, were disposed of, as follows, viz:

S. 43, bill to be entitled "An act to establish a scale of depreciation of Confederate Curreney."

The question being upon the amendment of Mr. Howard, to strike out the first section of the amendment offered by Mr. Bynum, and insert as follows, viz:

Sec. 1. *Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same*, That the several Courts of Pleas and Quarter Sessions (a majority of the Justices being present) shall, at the first term after the ratifieation of this aet, or at a subsequent term, if not disposed of at the said first term, proeeed to establish a scale of depreciation of Confederate currency for each month

from the 1st day of September, A. D. 1861, to May 1st, A. D. 1865.

SEC. 2. *Be it further enacted*, That at the same time the said court shall adjust a schedule of prices of all articles of personal property of ordinary traffic in their respective counties, and also the value of labor, and that from time to time they shall add to said list as they may be requested to do by any citizen of the county.

SEC. 3. *Be it further enacted*, That the said scale of depreciation and schedule of prices shall be held and taken to be the proper value of said currency, personal property or labor, in settling all matters of indebtedness in the respective counties.

SEC. 4. *Be it further enacted*, That the respective Courts may appoint a commission of three or more persons to make and report said scale and schedule, subject to their approval, should they deem said course advisable.

And the question thereon was put, and

Decided in the negative, { Yeas, ... 14, Nays, ... 22.

On motion of Mr. Howard,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Aycock, Harris, of Franklin, Harris, of Rutherford, Howard, Jones, of Wake, Latham, Leitch, of Robeson, McEachern, McKoy, Pitchford, Snead, Stanford, Whitford and Williams.

Those who voted in the negative are:

Messrs. Arendell, Berry, Black, Blount, Boner, Boyd, Bullock, Bynum, Carter, Covington, Cowper, Donaho, Garner, Gash, Gorrell, Jones, of Columbus, Keener, McLean, Shober, Tayloe, Wilson and Winstead.

The amendment offered by Mr. Bynum was then adopted.

The question recurring upon the passage of the bill, as amended, its second reading was put, and

Decided in the affirmative, { Yeas, ... 25, Nays, ... 13.

On motion of Mr. Howard,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messr. Berry, Black, Blount, Boyd, Bullock, Bynum, Carter, Covington, Cowper, Donaho, Garner, Gash, Gorrell, Jones, of Columbus, Jones, of Wake, Keener, Latham, McEachern, McLean, Pitchford, Shober, Tayloe, Whitford, Wilson and Winstead.

Those who voted in the negative are:

Messrs. Arendell, Aycock, Boner, Ferebee, Harris, of Franklin, Harris, of Rutherford, Howard, Leitch, of Robeson, McKoy, Snead, Stanford, Wiggins and Williams.

H. 156, engrossed bill to legalize the transfer of registered bonds of this State to bearer. Filed for third reading.

S. 152, bill to prevent prosecutions in certain cases.

On motion of Mr. Jones, of Wake,

Laid on the table.

S. 153, bill for establishing a college for the education of teachers and ministers of the gospel of the colored race. Filed for third reading.

H, 213, engrossed resolution in regard to the official papers in the Clerk's office of the House of Commons.

On motion of Mr. Pitchford,

Laid on the table.

S. 156, bill to extend the charter of the Wilmington, Charlotte and Rutherford Railroad.

On motion of Mr. Harris, of Rutherford,

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

Ordered, To be engrossed.

H. 172, engrossed bill to repeal so much of the twentieth section of an act, entitled "An act to change the jurisdiction of the courts and the rules of pleading therein," ratified the 11th day of September, 1861, as requires executors to give security.

On motion of Mr. Leitch, of Robeson,

Laid on the table.

S. 157, bill to allow the Comptroller a clerk.

On motion of Mr. Gorrell,

Indefinitely postponed.

S. 158, bill to authorize the Public Treasurer to receive and invest the land scrip donated to this State by Congress for the endowment of an Agricultural and Mechanical College.

On motion of Mr. Jones, of Columbus,

The rules were suspended and the bill read the third time.

Mr. Whitford offered an amendment, which was lost.

Mr. Howard moved to amend by striking out "*twenty-five hundred dollars*," and insert "*fifteen hundred dollars*," and the amendment prevailed.

The bill, as amended, passed its final reading.

Ordered, To be engrossed.

S. R. 159, resolution for the relief of the town of Fayetteville.

The question being "Shall the resolution pass its second reading?" was put, and

Decided in the affirmative, { Yeas,..... 25, Nays,..... 12.

On motion of Mr. Arendell,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Aycock, Berry, Boner, Bynum, Carter, Covington, Donaho, Ferebee, Hall, Harris, of Franklin, Harris, of Rutherford, Howard, Jones, of Columbus, Jones, of Wake, Keener, Latham, Leitch, of Robeson, McEachern, McKoy, McLean, Pitchford, Stanford, Whitford, Williams and Wilson.

Those who voted in the negative are:

Messrs. Arendell, Blount, Boyd, Bullock, Cowper, Garner, Gash, Gorrell, Morgan, Shober, Snead and Wiggins.

Mr. Pitchford introduced the following resolution, viz:

Resolved, That when the Senate adjourns to-morrow afternoon at 2 o'clock, it adjourn to meet on Monday morning at 10 o'clock.

Lies over.

The hour of adjournment arriving,

The Senate adjourned.

SATURDAY, March 3, 1866.

Prayer by Rev. Mr. Hudson.

Reports from Standing and Select Committees were submitted and filed, as follows, viz:

By Mr. Covington, from the Committee on Agriculture:

Memorial from certain citizens of Edgecombe in regard to the law in relation to fences, asking to be discharged from its further consideration.

Discharged accordingly.

By Mr. Cowles, from the Committee on Claims:

S. P. 77, resolution in favor of W. E Mann, with an amendment, recommending its passage.

By Mr. Arendell, from the Committee on Corporations:

H. 257, engrossed bill in relation to the town of Goldsboro in the county of Wayne, recommending its passage.

S. P. 72, bill to incorporate the Yadkin and Cape Fear Canal Company, recommending that it do pass.

S. P. 73, bill to charter the City of Raleigh, recommending its passage.

By Mr. Latham, from the same Committee:

S. P. 70, bill to incorporate the Fayetteville Iron Works, recommending that it do pass.

By Mr. Howard, from the Committee on the Judiciary:

H. 178, engrossed bill concerning Assignments, recommending its passage.

S. R. 57, resolution concerning the Banks of the State, with

the report of the Select Committee on Banks and Banking, with a special report, asking to be discharged from its further consideration.

The Committee was discharged, and the report ordered to be printed.

By Mr. Latham, from the Committee on Corporations:

H. 265, engrossed bill to amend the charter of the Governor's Creek Steamboat Transportation and Mining Company, recommending that it do pass.

By Mr. Harris, of Rutherford, from the Joint Select Committee on Printing and Binding:

S. R. 176, resolution in relation to the Public Printing and Binding, recommending its passage.

The resolution was adopted and transmitted to the House.

The Senate concurred in the recommendation for Justices of the Peace for the counties of Wake, Wilkes and Catawba, transmitted from the House of Commons.

The resolution introdueed by Mr. Pitchford, on yesterday, in referenee to adjourning over until Monday morning, was adopted.

Bills, &e., of the titles following being introduced, passed their first reading, and were disposed of, as follows, to wit:

Resolution (S. 174,) in favor of John True, of Person county.

On motion of Mr. Winstead,

The rules were suspended and the bill placed upon its several readings.

Mr. Latham moved to amend by striking out the word "*annually.*"

And the question thereon, being put was

Decided in the affirmative, { Yeas, ... 23, Nays, ... 20.

On motion of Mr. Winstead,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Black, Blount, Boner, Boyd, Bynum, Carter, Cowles, Cowper, Garner, Gash, Gorrell, Jones, of Columbus, Jones, of Wake, Keener, Latham, Leitch, of Robeson, McEachern, Morgan, Pitchford, Shober, Tayloe and Wilson.

Those who voted in the negative are:

Messrs. Aycock, Berry, Bullock, Covington, Coward, Donaho, Ferebee, Hall, Harris, of Franklin, Harris, of Rutherford, Howard, Isbell, McCleese, McKoy, McLean, Snead, Stanford, Whitford, Wiggins and Winstead.

Mr. Winstead moved to amend by striking out the words "one hundred dollars" and insert the words "*three hundred dollars.*" Adopted.

The resolution, as amended, passed its second reading.

The question then being upon its passage the third reading,

Mr. Howard moved to amend by striking out all after "*Resolved,*" and insert the original resolution, to wit:

"That the Public Treasurer be, and is hereby authorized to pay John True, of the county of Person, who lost both arms in the late war, one hundred dollars, annually, out of any money in the Treasury not otherwise appropriated," and the question pending thereon,

Mr. Jones, of Wake, moved to amend by inserting the words "*and to Wm. H. Hamilton, of Wake, fifty dollars annually.*" Adopted.

Mr. Cowles moved to amend by inserting after the word "war" the words "*and to Wade Lindsey, of the county of Yadkin, each,*" and the motion prevailed.

The amendment, as amended, was adopted.

The question being "Shall this resolution pass its third reading?" was put, and

Decided in the affirmative, { Yeas, ... 25, Nays, ... 14.

On motion of Mr. Donaho,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Aycock, Bullock, Bynum, Covington, Coward, Cowles, Donaho, Ferebee, Hall, Harris, of Franklin, Harris, of Rutherford, Howard, Jones, of Columbus, Jones, of Wake, Keener, McCleese, McEachern, McKoy, McLean, Shober, Snead, Stanford, Whitford, Wiggins and Winstead.

Those who voted in the negative are:

Messrs. Arendell, Berry, Blount, Boner, Boyd, Carter, Cowper, Gash, Isbell, Latham, Leitch, of Robeson, Morgan, Pitchford and Wilson.

On motion of Mr. Winstead,

The rules were suspended, and the resolutions ordered to be engrossed at once, and transmitted to the House.

By Mr. Wilson: A bill, (S. 177,) to declare valid an act of the General Assembly, amending the charter of the Chatham Railroad Company. Referred to the Committee on Internal Improvements.

From the House: Engrossed resolution (H. P. 55,) in favor of Daniel W. Chambers.

On motion of Mr. Covington,

The rules were suspended, and the resolution passed its second and third reading.

On motion of Mr. Ferebee,

The rules were further suspended, and it was ordered to be enrolled forthwith.

Engrossed bill (H. 240,) to incorporate the Business Exchange of Elizabeth City and vicinity. Filed.

H. 248, engrossed bill to authorize the sale of a Lot in the City of Raleigh, for a burial ground. Filed.

H. 251, engrossed bill to authorize the sale of the Roanoke Valley Railroad Company. Referred to Committee on Internal Improvements.

H. 255, engrossed bill to reduce the bonds of sheriffs and other officers. Filed.

H. 258, engrossed bill to require a deposit of securities to

be made by foreign Insurance Companies, during business in this State. Referred to the Committee on Corporations.

H. 272, engrossed bill to legalize the Courts of Pleas and Quarter Sessions, held by the Provisional Justices in Mecklenburg county.

On motion of Mr. Wilson,

The rules were suspended, and the bill passed its several readings.

Ordered, To be enrolled.

H. 237, engrossed resolution to repair the State House, and to have such other repairs made as may be necessary. Filed.

Messrs. Boyd and Harris, of Rutherford, submitted recommendations for additional Justices of the Peace for the counties of Moore and Rutherford, which were approved, and transmitted to the House.

On motion of Mr. McKoy,

The Senate reconsidered the vote by which they rejected the engrossed bill (H. 82,) concerning negroes and persons of color, or of mixed blood.

Mr. Howard moved to make it the special order for Tuesday next, March 6th, at 7½ o'clock, P. M., and the motion did not prevail, there being counted yeas 19, nays 19. The Speaker voted in the negative.

The question recurring, "Shall the bill pass its second reading?" was put, and

Decided in the affirmative, { Yeas, ...25. / Nays, ...17.

On motion of Mr. Carter,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Aycock, Berry, Black, Blount, Boner, Boyd, Bynum, Carter, Coward, Donaho, Gash, Hall, Howard, Isbell, Keener, Latham, McEachern, McKoy, Shober, Stanford, Tayloe, Whitford, Wilson and Winstead.

Those who voted in the negative are:

Messrs. Bullock, Cowles, Cowper, Ferebee, Garner, Gorrell, Harris, of Franklin, Harris, of Rutherford, Jones, of Columbus, Jones, of Wake, Leitch, of Robeson, McCleese, McLean, Morgan, Pitchford, Snead and Wiggins.

On motion of Mr. Bynum,

S. R. 124, resolution declaring what debts are valid and what not valid under the ordinance of the Convention, was taken from the table, and made the special order for Monday next, March 5th, at 10½ o'clock, A. M.

On motion of Mr. Howard,

H. 164, engrossed bill to enable the banks of the State to close their business, was referred to the Committee on the Judiciary.

Bills, &c., of the titles following being read the second time, passed, and under a suspension of the rules passed their third reading, and were ordered, as follows, viz:

H. 153, engrossed bill to incorporate the Rudisell Gold Mining Company, in the county of Mecklenburg.

Ordered, To be enrolled.

H. 155, engrossed bill to amend an act entitled "An act to incorporate the town of Graham, in the county of Alamance."

Ordered, To be enrolled.

H. 176, engrossed bill to repeal the 17th section of an act passed at the session of 1825, entitled "An act for the better regulation of the town of Beaufort."

Ordered, To be enrolled.

H. 169, engrossed bill to incorporate Mystic Tie Lodge, No. 237, in the town of Marion, McDowell county.

Ordered, To be enrolled.

H. 198, engrossed bill for the relief of the President, Directors and Company of the Washington Toll Bridge.

Ordered, to be enrolled.

H. P. 50, engrossed bill to incorporate "Little River Select School," in the county of Orange.

Ordered, To be enrolled.

H. 168, engrocsed bill to incorporate Stokes Lodge, No. 32, F. A. M., in the town of Concord, county of Cabarrus.

Ordered, To be enrolled.

H. 170, engrossed bill to incorporate "Union Mining Company," in the county of Rowan.

Ordered, To be enrolled.

H. 175, engrossed bill to incorporate the Hiwassee Turnpike Company.

Ordered, To be enrolled.

H. 214, engrossed bill to revive and amend an act, entitled "An act to incorporate Sulphur Springs Camp Ground," in the county of Cleaveland.

Ordered, To be enrolled.

S. P. 70, bill to incorporate the Fayetteville Iron Works.

Ordered, To be engrossed.

S. P. 73, bill to charter the City of Raleigh.

Ordered, To be engrossed.

H. 257, engrossed bill in relation to the town of Goldsboro', in Wayne county.

Ordered, To be enrolled.

H. 189, engrossed resolution in favor of R. W. Best.

Ordered, To be enrolled.

S. P. 77, resolution in favor of W. E. Mann,

Ordered, To be engrossed.

H. 265, engrossed bill to amend the charter of Governor's Creek Steamboat Transportation and Mining Company.

Ordered, To be enrolled.

H. 154, engrossed bill to authorize the construction of a toll bridge across the Catawba River at or near Rock Island Factory between the counties of Mecklenburg and Gaston.

Amended on motion of Mr. Arendell, limiting the operation of the act to thirty years.

Ordered, To be transmitted to the House for concurrence in amendment.

H. P. 53, engrossed bill to authorize Willis S. Grandy and others to continue a toll bridge across Pasquotank river.

Mr. Ferebee moved to amend by adding at the end of the first section the following proviso, viz:

"*Provided*, That the said Courts of Pasquotank and Camden shall be, and they are hereby, authorized to fix a tariff of tolls, as, in their discretion, they may deem proper, not however less than the rates allowed in 1860: *Provided, further*, That nothing herein contained shall effect the proportion of interest now held by the parties owning said ferry," and the amendment prevailed.

As amended, the bill passed its final reading.

Ordered, To be transmitted to the House for concurrence.

S. P. 72, bill to incorporate the Yadkin and Cape Fear Canal Company, passed its second reading and was filed.

Bills of the titles following were indefinitely postponed, viz:

S. 24, bill to incorporate the Mining, Manufacturing and Improvement Company.

S. 25, bill to incorporate the American Industrial Agency.

S. P. 50, bill to incorporate the Planter's Loan Association.

On motion of Mr. Bynum,

The rules were suspended, and the engrossed bill (H. 245,) to legalize the acts of the County Courts of Gaston and Lincoln counties passed its several readings.

Ordered, To be enrolled.

On motion of Mr. Gash,

H. 107, engrossed bill to authorize the formation of the English and American Wool and Vine Growing, Manufacturing, Mining and Agricultural Association in the United States of America, was taken from the table and placed upon the calendar.

When the hour arriving,

The Senate adjourned.

MONDAY, March 5, 1866.

Prayer by Rev. J. M. Atkinson.

Mr. Jasper Etheridge, Senator elect from the county of Onslow, being the 18th Senatorial District, in place of Isaac N. Sanders, deceased, appeared, presented his credentials and was qualified.

The Speaker designated Messrs. Boyd, Tayloe and Stanford as the Committee on enrolled bills for the week.

Reports from standing Committees were submitted and filed as follows, viz:

By Mr. Wiggins, from the Committee on Finance.

S. 184, bill concerning the Dismal Swamp Canal, recommending its passage.

By Mr. Blount, from the Committee on the Insane Asylum.

S. 185, bill in relation to the Insane Asylum, recommending its passage.

The bill was ordered to be printed.

Mr. Howard introduced a bill of the title following, when proceedings were had as follows, to wit:

S. 186, bill concerning salaries and fees.

On motion of Mr. Howard,

The rules were suspended, and the bill passed its several readings.

Ordered, To be engrossed.

A message from the House of Commons transmitted the names of Messrs. Paschal, Ashworth, Leigh, of Tyrrell, Thigpen and Foster as constituting the House branch of the Committee on enrolled bills for the present week.

The Senate concurred in recommendations of the Peace for the county of Davidson, transmitted from the House.

S. R. 124, resolutions declaring what debts are valid and what not valid under the Ordinance of the Convention, was considered on its second reading, as the special order.

The resolutions were read *seriatim*.

Mr. Gash moved to amend the fifth resolution by adding the following proviso, viz:

"*Provided*, That the payment of said salaries and fees shall be made in currency, and be made in accordance with the scale fixing the value of Confederate currency passed by this General Assembly." Rejected.

Mr. Harris, of Rutherford, moved to amend the fifth resolution by adding the following proviso, viz:

"*Provided, however*, That said officers shall not receive more than the salaries received prior to May 20th, 1861, or its equivalent in the currency of the United States." Adopted.

Mr. Cowles moved to strike out the fifth resolution, and the question being put was

Decided in the negative, { Yeas,..... 13, Nays,..... 26.

On motion of Mr. Cowles,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Aycock, Black, Bullock, Cowles, Cowper, McCleese, Morehead, Morgan, Stanford, Whitford, Wiggins, Williams and Winstead.

Those who voted in the negative are,

Messrs. Arendell, Blount, Boner, Boyd, Bynum, Carter, Covington, Coward, Donaho, Etheridge, Ferebee, Garner, Gash, Hall, Harris, of Franklin, Harris, of Rutherford, Jones, of Columbus, Jones, of Wake, Keener, Latham, Leitch, of Robeson, McKoy, McLean, Pitchford, Shober and Wilson.

The other resolutions were adopted without objection, and were filed for third reading.

H. 194, engrossed bill to change the jurisdiction of the courts and the rules of pleading therein, being considered on its third reading, as the special order,

Mr. Cowles moved that the bill be made the special order for Wednesday next, March 7th, at 11 o'clock, and the question thereon was put, and

Decided in the affirmative, { Yeas, ... 22. Nays, ... 18.

On motion of Mr. Cowles,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Aycock, Boner, Boyd, Bullock, Covington, Coward, Cowles, Cowper, Donaho, Etheridge, Ferebee, Harris, of Franklin, Harris, of Rutherford, Howard, McCleese, McEachern, McLean, Morehead, Pitchford, Stanford, Wiggins and Williams.

Those who voted in the negative are:

Messrs. Arendell, Black, Blount, Bynum, Carter, Garner, Gash, Gorrell, Jones, of Wake, Keener, Latham, Leitch, of Robeson, McKoy, Morgan, Shober, Tayloe, Wilson and Winstead.

Mr. Cowles made recommendations for additional Justices of the Peace for the counties of Alleghany and Yadkin, which were approved and transmitted to the House.

On motion of Mr. Shober,

H. 200, engrossed bill to be entitled Revenue, heretofore made the special order for Tuesday next, March 6th, was considered on its second reading.

The bill was read by sections.

Mr. Gash moved to amend section second, line first, by striking out the words "*one dollar*," and insert the words "*fifty cents.*" Rejected.

Mr. Carter moved to amend the second section, seventh line, by inserting the words "*colored person*," after the word "*or.*" Lost.

Mr. Covington moved to amend the third section by striking out the words "*twenty dollars*," at the end of the section, and insert the words "*ten dollars.*" Not adopted.

Mr. Howard moved to amend the seventh section by striking out all after "*dollars*," in the sixth line, and insert as follows: "*and less than one thousand dollars, one per cent.; if amounting to one thousand dollars, one and one-half per cent.;*

if amounting to two thousand and below three thousand dollars, two per cent.; if amounting to three thousand and below four thousand dollars, two and one-half per cent.; if amounting to four thousand and below five thousand dollars, three per cent.; if amounting to five thousand dollars and upwards, three and one-half per cent. on such total salary and fees."

And the question being thereon, was put and

Decided in the negative, { Yeas, ... 16, Nays, ... 23.

On motion of Mr. Howard,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Aycock, Carter, Garner, Gash, Hall, Harris, of Franklin, Harris, of Rutherford, Howard, Keener, Latham, McEachern, Morehead, Tayloe, Whitford, Williams and Winstead.

Those who voted in the negative are:

Messrs. Arendell, Black, Blount, Boner, Boyd, Bullock, Bynum, Covington, Cowles, Cowper, Donaho, Etheridge, Gorrell, Jones, of Columbus, Jones, of Wake, McCleese, McKoy, McLean, Morgan, Pitchford, Shober, Wiggins and Wilson.

When the hour arriving, the Senate adjourned.

7½ *o'clock, P. M.*

The Senate resumed the consideration of the engrossed bill (H. 200,) to be entitled Revenue, as the unfinished business.

Mr. Howard moved to strike out "*Class* 1." of section thirteen of Schedule A. Not adopted.

Mr. Latham moved to amend the eighteenth section of Schedule B, by striking out the word "*sells*," and insert the words "*has for sale.*" Rejected.

Mr. Harris, of Rutherford, moved to amend the same section by inserting the words "*or gives away*," after the word "*sells*," in the first line. Lost.

Mr. Latham moved to amend the same section by striking

out the words "*fifty cents*" and insert the words "*one dollar*," in the first line, and the motion did not prevail.

Mr. Carter moved to amend the ninetieth section by striking out the word "*two*" and insert the word "*one*," in the third line. Not adopted.

Mr. Wiggins moved to amend the twenty-ninth section by inserting the words "*for each county*" after the word "*dollars*" in the third line. Adopted.

Mr. Gash moved to amend the thirtieth section by inserting after the word "*whisky*," the words "*fifty cents*," and the question was put, and

Decided in the affirmative, { Yeas, ... 25. Nays, ... 15.

On motion of Mr. Wilson,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Aycock, Black, Boner, Boyd, Bynum, Covington, Donaho, Etheridge, Garner, Gash, Harris, of Franklin, Howard, Jones, of Wake, Keener, Latham, Leitch, of Robeson, McEachern, McKoy, McLean, Morehead, Pitchford, Stanford, Williams, Wilson and Winstead.

Those who voted in the negative are:

Messrs. Arendell, Blount, Bullock, Carter, Coward, Cowles, Cowper, Harris, of Rutherford, Jones, of Columbus, McCleese, Morgan, Shober, Tayloe, Whitford and Wiggins.

Mr. Latham moved to amend the same section by striking out the word "*special*" before the words "*County Court.*" Adopted.

Mr. Cowles moved to amend the same section by striking out the word "*brandy*" in the first line, and after the word "*liquors*," in the second line, insert the words "*except brandy*," and the question thereon was put, and

Decided in the negative, { Yeas, ... 5. Nays, ... 34.

On motion of Mr. Carter,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Blount, Cowles, Leitch of Robeson, Pitchford and Williams.

Those who voted in the negative are:

Messrs. Arendell, Aycock, Black, Boner, Boyd, Bullock, Bynum, Carter, Covington, Cowper, Donaho, Etheridge, Ferebee, Garner, Gash, Harris, of Franklin, Harris, of Rutherford, Howard, Jones, of Columbus, Jones, of Wake, Keener, Latham, McCleese, McEachern, McKoy, McLean, Morehead, Morgan, Shober, Stanford, Whitford, Wiggins, Wilson and Winstead.

Mr. Carter moved to amend the same section by striking out the words "*twenty-five*" in the third line, and insert the word "*fifty*," and the question thereon was put, and

Decided in the negative, { Yeas, ... 15,
Nays, ... 25.

On motion of Mr. Cowles,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Boner, Boyd, Carter, Coward, Etheridge, Ferebee, Garner, Jones, of Columbus, Keener, McCleese, Morgan, Shober, Taylor and Whitford.

Those who voted in the negative are:

Messrs. Aycock, Black, Blount, Bullock, Bynum, Covington, Cowles, Cowper, Donaho, Gash, Harris, of Franklin, Harris, of Rutherford, Howard, Jones, of Wake, Latham, Leitch, of Robeson, McEachern, McKoy, McLean, Morehead, Pitchford, Wiggins, Williams, Wilson and Winstead.

Mr. Cowles moved to amend the same section by inserting after the words "*fifty cents*" in the first line, the words "*spirits of turpentine*," and the question was put, and

Decided in the negative, { Yeas, ... 1.
Nays, ... 38.

On motion of Mr. Cowles,

The yeas and nays being ordered,

Mr. Cowles voted in the affirmative.

Those who voted in the negative are:

Messrs. Arendell, Aycock, Black, Blount, Boner, Boyd, Bullock, Bynum, Carter, Covington, Coward, Cowper, Donaho, Etheridge, Ferebee, Garner, Gash, Harris, of Franklin, Harris, of Rutherford, Howard, Jones, of Columbus, Jones, of Wake, Keener, Latham, Leitch, of Robeson, McCleese, McEachern, McKoy, McLean, Morehead, Morgan, Pitchford, Tayloe, Whitford, Wiggins, Williams, Wilson and Winstead.

Mr. Bynum moved that the vote by which the Senate adopted the amendment of Mr. Gash, to wit: in thirtieth section and first line after the word "*whisky*" insert the words "*fifty cents*," be reconsidered,

And the question being thereon, was put and

Decided in the affirmative, { Yeas, ...20. / Nays, ...20.

On motion of Mr. Latham,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Blount, Boyd, Bullock, Bynum, Carter, Coward, Cowles, Cowper, Etheridge, Garner, Harris, of Rutherford, Keener, McCleese, Morgan, Pitchford, Shober, Tayloe, Whitford and Wiggins.

Those who voted in the negative are:

Messrs. Aycock, Black, Boner, Covington, Donaho, Ferebee, Gash, Harris, of Franklin, Howard, Jones, of Columbus, Jones, of Wake, Latham, Leitch, of Robeson, McEachern, McKoy, McLean, Morehead, Williams, Wilson and Winstead.

The Speaker voted in the affirmative.

The question then being, "Shall the amendment proposed by Mr. Gash be adopted?" was put and

Decided in the negative, { Yeas, ... 19, / Nays, ... 21.

On motion of Mr. Latham,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Aycock, Black, Boner, Covington, Donaho, Gash, Harris, of Franklin, Howard, Jones, of Columbus, Jones, of Wake, Latham, Leitch, of Robeson, McEachern, McKoy, McLean, Morehead, Williams, Wilson and Winstead.

Those who voted in the negative are:

Messrs. Arendell, Blount, Boyd, Bullock, Bynum, Carter, Coward, Cowles, Cowper, Etheridge, Ferebee, Garner, Harris, of Rutherford, Keener, McCleese, Morgan, Pitchford, Shober, Tayloe, Whitford and Wiggins.

Mr. Gash moved to amend by adding an additional section to the bill, as follows, to wit:

"*Be it further enacted*, That one-half cent on the mile for all travel over Railroads and canals in this State, and two cents in addition on every mile travelled on what is called "Dead Heads," to be collected by the collecting officers of the Railroads and Canals, and paid over to the Treasurer of the State quarterly, deducting five per cent. for collecting. Rejected.

The bill then passed its second reading,

When the hour, 10 o'clock, P. M., arriving,

The Senate adjourned.

TUESDAY, March 6, 1866.

Mr. Ferebee presented a memorial from certain citizens of Currituck county, praying for the appointment of the names therein contained as Justices of the Peace for that county, The names were approved and transmitted to the House.

Reports from the Committee on Internal Improvements were submitted and filed as follows, viz:

S. R. 171, resolution to facilitate rafting of lumber and timber on the Cape Fear River above Fayetteville, recommending that it do not pass.

H. 251, engrossed bill to authorize the sale of the Roanoke Valley Railroad Company, recommending its passage.

Bills, &c., of the titles following being introduced, passed their first reading, and were disposed of as follows, viz:

By Mr. Howard: A bill (S. 187,) to amend Chapter 40, Revised Code, entitled "Draining and Damning Low Lands."

On motion of Mr. Howard,

The rules were suspended, and the bill passed its several readings.

Ordered, To be engrossed.

By Mr. Jones, of Wake: Resolution (S. P. 83,) in favor of William Thompson, of Wake county. Referred to the Committee on Claims.

From the House: Engrossed bill to amend Chapter 75 of the Revised Code entitled "Notaries."

On motion of Mr. Howard,

The rules were suspended, and the bill placed upon its several readings.

Mr. Wilson moved to amend by adding to the first section the following proviso:

"*Provided*, That nothing herein contained shall be construed to allow the privy examination of *femes covert* to be taken otherwise than by law is specially directed." Adopted.

The bill, as amended, passed its second and third readings.

Ordered, To be transmitted to the House for concurrence in the amendment.

H. 199, engrossed bill relating to debts created during the late war. Filed.

H. 229, engrossed bill for the relief of the owners of lands and houses. Filed.

H. 230, engrossed bill to amend the act concerning Justices of the Peace in Bladen county. Filed.

H. 219, engrossed bill to authorize the Chairman of the County Court for Alamance county to sell real estate. Filed.

H. 236, engrossed bill to extend the time for collecting taxes under the Revenue Ordinance of the Convention. Filed.

H. 269, engrossed bill to authorize the Public Treasurer to make special deposits. Filed.

H. 274, engrossed bill to amend the charter of the Williamston and Tarboro Railroad Company and for other purposes. Filed.

H. 196, engrossed bill to incorporate the North Carolina Mining Company. Filed.

H. 271, engrossed bill to extend relief to Robert Christy and others. Filed.

H. 285, engrossed bill to regulate the sale of spirituous liquors in the town of Salem in Forsythe county. Filed.

Mr. Harris, of Franklin, submitted additional names as Justices of the Peace for Franklin county, which were approved and transmitted to the House.

The Senate concurred in the recommendations for Justices of the Peace for the counties of Robeson, Harnett, Tyrrell and Edgecombe, transmitted from the House.

Engrossed bill (H. 235,) for collecting revenue was received from the House, and passed its first reading.

On motion of Mr. Wilson,

S. 177, bill to establish the rate of interest and repeal Chapter 114 of the Revised Code was considered on its third reading.

Mr. Cowles moved to lay the bill on the table, and the question thereon was put and

Decided in the affirmative, { Yeas, ... 22, Nays, ... 22.

On motion of Mr. Bogle,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Aycock, Black, Blount, Bogle, Boyd, Cowles, Cowper, Donaho, Gorrell, Hall, Harris, of Franklin, Keener, Latham, Leitch, of Robeson, McCleese, Morehead, Morgan, Pitchford, Stanford, Whitford, Wiggins and Winstead.

Those who voted in the negative are:

Messrs. Arendell, Boner, Bullock, Carter, Covington, Cow-

ard, Etheridge, Ferebee, Garner, Gash, Harris, of Rutherford, Howard, Isbell, Jones, of Columbus, Jones, of Wake, McEachern, McKoy, McLean, Shober, Tayloe, Williams and Wilson.

The Speaker voted in the affirmative.

S. 74, bill for the relief of the people by authorizing the banks of the State to subscribe for stock in the national banks, was considered on its second reading, and the question being "Shall the bill pass?" was put and

Decided in the negative, { Yeas, ... 16, Nays, ... 21.

On motion of Mr. Arendell,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Aycock, Boyd, Carter, Covington, Donaho, Gash, Isbell, Jones, of Wake, Leitch, of Robeson, McKoy, McLean, Shober, Stanford, Wiggins, Williams and Wilson.

Those who voted in the negative are:

Messrs. Arendell, Black, Blount, Bogle, Boner, Bullock, Coward, Cowles, Cowper, Etheridge, Gorrell, Harris, of Franklin, Harris, of Rutherford, Jones, of Columbus, Keener, Latham, McCleese, Morehead, Morgan, Pitchford and Tayloe.

On motion of Mr. McLean,

The rules were suspended, and the resolution (S. 171,) to facilitate rafting of lumber and timber on the Cape Fear River above Fayetteville, was considered on its several readings.

Mr. McLean moved to amend by adding the following proviso, to wit:

"*Provided*, That this license shall be approved by a majority of the Internal Improvement Board of the State."

Adopted.

Mr. Carter moved to amend by adding the following proviso, viz:

"*Provided*, That the persons who remove these dams shall first enter into bonds with good security, to be approved by the Board of Internal Improvements, in the sum of five hun-

dred thousand dollars to restore said dams in good condition when called on to do so by said Board."

And the question being thereon,

On motion of Mr. Arendell,

It was indefinitely postponed.

H. 107, engrossed bill to authorize the formation of the English and American Wool and Vine Growing, Manufacturing, Mining and Agricultural Association in the United States of America, being read the second time,

Mr. Jones, of Columbus, moved to postpone the consideration of the bill indefinitely, and the question thereon was put and

The motion prevailed, { Yeas, ... 22, Nays, ... 21.

On motion of Mr. Jones, of Columbus,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Black, Blount, Bogle, Boner, Bullock, Coward, Cowper, Donaho, Garner, Gorrell, Harris, of Rutherford, Isbell, Jones, of Columbus, McCleese, Morehead, Morgan, Pitchford, Snead, Tayloe, Whitford and Winstead.

Those who voted in the negative are:

Messrs. Aycock, Boyd, Carter, Covington, Cowles, Etheridge, Gash, Hall, Harris, of Franklin, Howard, Jones, of Wake, Keener, Latham, Leitch, of Robeson, McEachern, McKoy, McLean, Stanford, Wiggins, Williams and Wilson.

The Speaker, in a brief and impressive address, resigned the position of presiding officer of the Senate, having been at the first session of this General Assembly elected Solicitor of the 4th Judicial District.

Mr. Williams introduced the following resolution, viz:

Resolved, That the thanks of the Senate are due and hereby tendered to the Hon. Thos. Settle for the able, courteous and dignified manner in which he has discharged the duties of Speaker of this body.

The resolution was unanimously adopted.

The Senate proceeded to elect a Speaker *viva voce*, the Clerk having designated Messrs. Covington and Morgan to superintend the election.

Mr. Wiggins nominated Mr. D. D. Ferebee, the Senator from Camden and Currituck.

Mr. Arendell nominated Mr. C. S. Winstead, the Senator from Person.

The following Senators voted for Mr. WINSTEAD, viz:

Messrs. Arendell, Black, Blount, Bogle, Boner, Boyd, Bullock, Carter, Coward, Cowles, Donaho, Etheridge, Garner, Gash, Gorrell, Harris, of Rutherford, Isbell, Jones, of Wake, Morgan, Settle, Snead and Tayloe—22.

The following Senators voted for Mr. FEREBEE, viz:

Messrs. Aycock, Covington, Cowper, Hall, Harris, of Franklin, Howard, Keener, Leitch, of Robeson, McCleese, McEachern, McKoy, McLean, Morehead, Pitchford, Shober, Stanford, Whitford, Wiggins, Williams and Wilson—20.

Mr. Ferebee voted for Mr. Wiggins.

Mr. Jones, of Columbus, voted for Mr. Carter.

Mr. Latham voted for Mr. Shober.

The Committee reported that no one had received a majority of the whole vote, and that there was no election.

On motion of Mr. Bogle,

The Senate proceeded to vote again for Speaker with result as follows, viz:

The following Senators voted for Mr. WINSTEAD, viz:

Messrs. Arendell, Black, Blount, Bogle, Boner, Boyd, Bullock, Carter, Coward, Cowles, Donaho, Etheridge, Garner, Gash, Gorrell, Harris, of Rutherford, Isbell, Jones, of Wake, Morgan, Settle, Snead and Tayloe—22.

The following Senators voted for Mr. FEREBEE, viz:

Messrs. Aycock, Covington, Cowper, Hall, Harris, of Franklin, Howard, Keener, Leitch, of Robeson, McCleese, McEachern, McKoy, McLean, Morehead, Pitchford, Shober, Stanford, Whitford, Wiggins, Williams and Wilson—20.

Mr. Ferebee voted for Mr. Wiggins.

Mr. Jones, of Columbus, voted for Mr. Carter.

Mr. Latham voted for Mr. Shober.

The committee reported that no one had received a majority of the whole number of votes cast, and that there was no election.

Mr. Cowper moved that the Senate adjourn until 7½ o'clock P. M., and the question being thereon, was put and

Decided in the negative, { Yeas, ... 21, Nays, ... 24.

On motion of Mr. Cowles,

The yeas and nays being ordered,

Those who voted in the affirmative are,

Messrs. Aycock, Cowper, Ferebee, Harris, of Franklin, Harris, of Rutherford, Howard, Jones, of Columbus, Keener, Latham, Leitch, of Robeson, McCleese, McEachern, McKoy, McLean, Morehead, Shober, Stanford, Whitford, Wiggins, Williams and Wilson.

Those who voted in the negative are:

Messrs. Arendell, Black, Blount, Bogle, Boner, Boyd, Bullock, Carter, Covington, Coward, Cowles, Donaho, Garner, Gash, Gorrell, Hall, Isbell, Jones, of Wake, Morgan, Pitchford, Settle, Snead, Tayloe and Winstead.

Mr. Carter moved that the Senate proceed to vote for Speaker.

Mr. Hall moved to adjourn until 7½ o'clock, P. M., and the question thereon, was put and

The motion did not prevail, { Yeas, ... 22, Nays, ... 23.

On motion of Mr. Harris, of Rutherford,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Aycock, Cowper, Ferebee, Hall, Harris, of Franklin, Howard, Jones, of Columbus, Keener, Latham, Leitch, of Robeson, McCleese, McEachern, McKoy, McLean, Morehead, Pitchford, Shober, Stanford, Whitford, Wiggins, Williams and Wilson.

Those who voted in the negative are:

Messrs. Arendell, Black, Blount, Bogle, Boner, Boyd, Bullock, Carter, Covington, Coward, Cowles, Donaho, Garner, Gash, Gorrell, Harris, of Rutherford, Isbell, Jones, of Wake, Morgan, Settle, Snead, Tayloe and Winstead.

The question recurring upon the motion of Mr. Carter.

Mr. Hall called the yeas and nays, and

The call was sustained, { Yeas, ... 24, Nays, ... 21.

Those who voted in the affirmative are:

Messrs. Arendell, Black, Blount, Bogle, Boner, Boyd, Bullock, Carter, Covington, Coward, Cowles, Donaho, Garner, Gash, Gorrell, Harris, of Rutherford, Isbell, Jones, of Wake, Latham, Morgan, Settle, Snead, Tayloe and Winstead.

Those who voted in the negative are:

Messrs. Aycock, Cowper, Ferebee, Hall, Harris, of Franklin, Howard, Jones, of Columbus, Keener, Leitch, of Robeson, McCleese, McEachern, McKoy, McLean, Morehead, Pitchford, Shober, Stanford, Whitford, Wiggins, Williams and Wilson.

Mr. Wiggins moved that the Senate adjourn until 7½ o'clock, P. M.

Mr. Carter raised the point of order as to whether the motion of Mr. Wiggins was in order.

The Clerk held the motion to be in order.

Mr. Carter appealed from the decision.

And the question thereon being stated, "Shall the decision of the Clerk stand as the decision of the Senate?" was put, and

Decided in the affirmative, { Yeas, ... 25. Nays, ... 19.

On motion of Mr. Cowper,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Aycock, Covington, Cowper, Donaho, Ferebee, Hall, Harris, of Franklin, Howard, Jones, of Columbus, Keener, Latham, Leitch, of Robeson, McCleese, McEachern, McKoy, McLean, Morehead, Morgan, Pitchford, Shober, Stanford, Whitford, Wiggins, Williams and Wilson.

Those who voted in the negative are:

Messrs. Arendell, Black, Blount, Bogle, Boner, Boyd, Bullock, Carter, Coward, Cowles, Garner, Gash, Gorrell, Harris, of Rutherford, Isbell, Jones, of Wake, Snead, Tayloe and Winstead.

The question recurring upon the motion of Mr. Wiggins, was put, and

Decided in the affirmative, { Yeas, ... 23, Nays, ... 22.

On motion of Mr. Wiggins,

The yeas and nays being ordered,

Those who voted in the affirmative are,

Messrs. Aycock, Covington, Cowper, Ferebee, Hall, Harris, of Franklin, Howard, Jones, of Columbus, Keener, Latham, Leitch, of Robeson, McCleese, McEachern, McKoy, McLean, Morehead, Pitchford, Shober, Stanford, Whitford, Wiggins, Williams and Wilson.

Those who voted in the negative are,

Messrs. Arendell, Black, Blount, Bogle, Boner, Boyd, Bullock, Carter, Coward, Cowles, Donaho, Garner, Gash, Gorrell. Harris, of Rutherford, Isbell, Jones, of Wake, Morgan, Settle, Snead, Tayloe and Winstead.

The Clerk declared the Senate adjourned until 7½ P. M.

7½ O'clock, P. M.

The Senate proceeded to vote for Speaker with result as follows, viz:

The following named Senators voted for Mr. WINSTEAD, viz:

Messrs. Arendell, Black, Blount, Bogle, Boner, Boyd, Bullock, Carter, Coward, Cowles, Donaho, Etheridge, Garner, Gash, Gorrell, Harris, of Rutherford, Isbell, Jones, of Wake, Morgan, Settle, Snead and Tayloe—22.

The following named Senators voted for Mr. FEREBEE, viz:

Messrs. Aycock, Covington, Cowper, Hall, Harris, of Frank-

lin, Howard, Keener, Leitch, of Robeson, McCleese, McEachern, McKoy, McLean, Morehead, Pitchford, Shober, Stanford, Whitford, Wiggins, Williams and Wilson.

Mr. Ferebee voted for Mr. Wiggins.

Mr. Jones, of Columbus, voted for Mr. Carter.

Mr. Latham voted for Mr. Shober.

The Committee reported forty-five vote cast. Necessary to a choice twenty-three. No one having received a majority of the whole number, there was no election.

The Senate proceeded forthwith to vote again for Speaker, which resulted as follows, to wit:

The following named Senators voted for Mr. WINSTEAD, viz:

Messrs. Arendell, Black, Blount, Bogle, Boner, Boyd, Bullock, Carter, Coward, Cowles, Donaho, Etheridge, Garner, Gash, Gorrell, Harris, of Rutherford, Isbell, Jones, of Wake, Morgan, Settle, Snead and Tayloe—22.

The following named Senators voted for Mr. FEREBEE, viz:

Messrs. Aycock, Covington, Cowper, Hall, Harris, of Franklin, Howard, Keener, Leitch, of Robeson, Mc-Cleese, McEachern, McKoy, McLean, Morehead, Pitchford, Shober, Stanford, Whitford, Wiggins, Williams and Wilson—20.

Mr. Ferebee voted for Mr. Wiggins.

Mr. Latham voted for Mr. Shober.

The Committee reported that the whole number of votes cast was 44. Necessary to a choice, 23. No one having received a majority of all the votes cast, there was no election.

The Senate proceeded to vote again for Speaker with the folowing result.

The name of Mr. Ferebee having been withdrawn from, and that of Mr. F. E. Shober added to the names in nomination, viz:

The following named Senators voted for Mr. WINSTEAD, viz:

Messrs. Arendell, Black, Blount, Boner, Boyd, Bullock, Carter, Coward, Cowles, Donaho, Etheridge, Garner, Gash, Gor-

rell, Harris, of Rutherford, Isbell, Jones, of Columbus, Jones, Wake, Morgan, Settle, Snead, Tayloe and Williams—23.

The following named Senators voted for Mr. SHOBER, viz:

Messr. Aycock, Bogle, Covington, Cowper, Ferebee, Hall, Harris, of Franklin, Keener, Latham, McCleese, McEachern, McKoy, McLean, Morehead, Stanford, Whitford, Wiggins and Wilson—18.

The following named Senators voted for Mr. Whitford, viz:

Messrs. Howard and Shober—2.

The following named Senators voted for Mr. Wiggins, viz:

Messrs. Leitch, of Robeson, and Pitchford—2.

Mr. Covington, on the part of the committee to superintend this election, reported as follows, viz:

Whole number of votes cast 45. Necessary to choice 23. Of which Mr. Winstead having received twenty-three, a majority of the whole number, was duly elected.

The Clerk designated Messrs. Arendell and Wiggins to conduct the Speaker elect to the Chair.

The Speaker returned his thanks in a few impressive remarks.

Mr. Howard moved that the Senate do now adjourn, and the question thereon was put, and

Decided in the negative, { Yeas, ... 14, Nays, ... 30.

On motion of Mr. Carter,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Bogle, Cowles, Cowper, Howard, McCleese, McEachern, McKoy, Morehead, Morgan, Pitchford, Shober, Stanford, Williams and Wilson.

Those who voted in the negative are:

Messrs. Arendell, Aycock, Black, Blount, Boner, Boyd, Bullock, Carter, Covington, Coward, Donaho, Etheridge, Ferebee, Garner, Gash, Gorrell, Hall, Harris, of Franklin, Harris, of Rutherford, Isbell, Jones, of Columbus, Jones, of Wake, Keen-

er, Latham, Leitch, of Robeson, McLean, Settle, Snead, Tayloe and Wiggins.

Mr. Arendell moved to reconsider the vote by which the Senate indefinitely postposed the engrossed bill (H. 107,) to authorize the formation of the English and American Wool and Vine Growing, Manufacturing, Mining and Agricultural Association in the United States of America.

And the question being thereon, was put, and

Did not prevail, { Yeas, ... 21, Nays, ... 22.

On motion of Mr. Morehead,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Aycock, Boyd, Carter, Covington, Coward, Cowles, Etheridge, Ferebee, Gash, Gorrell, Hall, Jones, of Wake, Keener, Latham, McEachern, McLean, Shober, Wiggins, Williams and Wilson.

Those who voted in the negative are:

Messrs. Black, Blount Bogle, Boner, Bullock, Cowper, Donaho, Garner, Harris, of Franklin, Harris, of Rutherford, Howard, Isbell, Jones, of Columbus, Leitch, of Robeson, McCleese, McKoy, Morehead, Morgan, Pitchford, Snead, Standford and Tayloe.

Mr. Bogle moved that the Senate adjourn,

And the motion did not prevail, { Yeas, ... 10, Nays, ... 33.

On motion of Mr. Howard,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Bogle, Cowles, Harris, of Franklin, McKoy, Morehead, Morgan, Pitchford, Shober, Stanford and Williams.

Those who voted in the negative are:

Messrs. Arendell, Aycock, Black, Blount, Boner, Boyd, Bullock, Carter, Covington, Coward, Donaho, Etheridge, Ferebee, Garner, Gash, Gorrell, Hall, Harris, of Rutherford, Howard, Isbell, Jones, of Columbus, Jones, of Wake, Keener, Latham,

Leitch of Davidson, McCleese, McEachern, McLean, Snead, Tayloe, Whitford, Wiggins and Wilson.

Engrossed bill (H. 23,) to provide for the payment of the State debt contracted before the war was considered on its third reading.

Mr. Morehead moved to lay the bill on the table and the question thereon was put and

Decided in the negative, { Yeas, ... 12, Nays, ... 31.

On motion of Mr. Morehead,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Black, Blount, Bogle, Coward, Cowles, Gash, Harris, of Franklin, Keener, McCleese, Morehead, Pitchford and Stanford.

Those who voted in the negative are:

Messrs. Arendell, Aycock, Boner, Boyd, Bullock, Carter, Covington, Cowper, Donaho, Etheridge, Garner, Gorrell, Harris, Harris, of Rutherford, Howard, Isbell, Jones, of Columbus, Jones, of Wake, Latham, Leitch, of Robeson, McEachen, McLean, Morgan, Settle, Shober, Snead, Tayloe, Whitford, Wiggins, Williams and Wilson.

The question recurring upon the passage of the bill,

Mr. Carter moved to amend by striking out the words "*The interest accruing thereon shall be subject to taxation as on other property; Provided, That said tax shall not exceed the taxes of money on interest,*" in the first section.

And the question pending thereon,

The hour arriving, the Senate adjourned.

WEDNESDAY, March 7, 1866.

Prayer by Rev. Mr. Brewer.

Mr. Blount, from the Committee on Propositions and Grievances, reported back the two memorials from citizens of

Wilmington, in reference to the fees of Inspectors of Naval Stores, asking to be discharged from its further consideration.

Discharged accordingly.

Mr. Cowles, from the Committee on Claims, reported back the resolution (S. P. 83,) in favor of William Thompson, of Wake county, recommending its passage.

On motion of Mr. McKoy,

Leave of absence was granted to Mr. Morgan from and after to-morrow until the end of the session.

The Senate concurred in recommendations for Justices of the Peace for the counties of Surry, Orange, Alamance and Stanly, transmitted from the House.

The House of Commons concurred in the Senate amendment to the engrossed bill (H. 260,) to amend chapter 75 of the Revised Code, entitled "Notaries."

Ordered, To be enrolled.

Mr. Whitford introduced the following resolution, when proceedings were had, viz:

Resolved, That a message be sent to the House of Commons, proposing to go into an election for Solicitor of the 4th Judicial Circuit, as that office is vacant, the person elected holding an office incompatible therewith.

And the question being thereon,

Mr. Pitchford introduced the following amendment, by way of substitute, viz:

WHEREAS, Hon. Thomas Settle, State Senator from the 38th Senatorial district, was, by the present General Assembly, on the 2d day of December last, elected Solicitor of the 4th Judicial district, and, whereas, the said Thomas Settle has, up to this present 7th day of March, 1866, continued to discharge the duties of his office, as Senator, and neglected or refused to qualify as Solicitor, the two offices being clearly incompatible, and the duties thereof not to be discharged, at the same time, by one and the same person: Therefore,

Resolved, That, in the opinion of this General Assembly, the office of Solicitor of the 4th Judicial district is now vacant.

Resolved, further, That a message be sent to the House of Commons proposing to go forthwith into an election of Solicitor for the 4th Judicial district.

And the question being upon this amendment,

Mr. McKoy offered the following resolution, as an amendment to the amendment, viz:

Resolved, That a message be sent to the House of Commons proposing to raise a Joint Select Committee to inquire as to whether there is a vacancy in the office of Solicitor of the 4th Judicial Circuit, owing to the non-acceptance of the Hon. Thomas Settle, now acting Senator from Rockingham upon the floor of the Senate, and that said committee be instructed to report by bill or otherwise.

Mr. Cowles moved to lay the amendment on the table.

And the question being taken, was

Decided in the negative, { Yeas, ... 21. Nays, ... 23.

On motion of Mr. Cowles,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Black, Blount, Bogle, Boner, Boyd, Bullock, Carter, Coward, Cowles, Etheridge, Garner, Gash, Gorrell, Harris, of Rutherford, Isbell, Jones, of Columbus, Jones, of Wake, Morgan, Snead and Tayloe.

Those who voted in the negative are:

Messrs. Aycock, Berry, Covington, Cowper, Donaho, Ferebee, Harris, of Franklin, Howard, Keener, Latham, Leitch of Robeson, McCleese, McEachern, McKoy, McLean, Morehead, Pitchford, Shober, Stanford, Whitford, Wiggins Williams and Wilson.

The question now recurring upon the adoption of the amendment offered by Mr. McKoy, it was lost.

The question then being upon the amendment offered by Mr. Pitchford, was put, and

Decided in the negative, { Yeas, ... 22, Nays, ... 23.

On motion of Mr. Whitford,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Aycock, Covington, Cowper, Etheridge, Ferebee, Hall, Harris, of Franklin, Howard, Latham, Leitch, of Robeson, McCleese, McEachern, McKoy, McLean, Morehead, Pitchford, Shober, Stanford, Whitford, Wiggins, Williams and Wilson.

Those who voted in the negative are:

Messrs. Arendell, Berry, Black, Blount, Bogle, Boner, Boyd, Bullock, Carter, Coward, Cowles, Donaho, Garner, Gash, Gorrell, Harris, of Rutherford, Isbell, Jones, of Columbus, Jones, of Wake, Keener, Morgan Snead and Tayloe.

The question recurring upon the resolution of Mr. Whitford, was put, and

Decided in the affirmative, { Yeas, ... 24, Nays, ... 21.

On motion of Mr. Cowles,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Aycock, Bogle, Covington, Cowper, Etheridge, Ferebee, Hall, Harris, of Franklin, Howard, Keener, Latham, Leitch, of Robeson, McCleese, McEachern, McKoy, McLean, Morehead, Pitchford, Shober, Stanford, Whitford, Wiggins, Williams and Wilson.

Those who voted in the negative are:

Messrs. Arendell, Berry, Black, Blount, Boner, Boyd, Bullock, Carter, Coward, Cowles, Donaho, Garner, Gash, Gorrell, Harris, of Rutherford, Isbell, Jones, of Columbus, Jones, of Wake, Morgan, Snead and Tayloe.

Mr. Shober, from the Committee on Internal Improvements, reported back the bill (S. 177,) to declare valid an act of the

General Assembly amending the charter of the Chatham Railroad Company, with an amendment, recommending its passage.

Bills, &c., of the titles following being introduced, passed their first reading, and were filed or referred as follows, viz:

By Mr. Wilson: A bill (S. 197,) for the better protection of the Milling and Manufacturing interest in the State. To the Judiciary.

By Mr. Morehead: A bill (S. 198,) to incorporate Concord Mining Company. To Corporations.

From the House: Engrossed bill (115,) to authorize the banks of the State to subscribe for stock in national banks. To the Judiciary.

Engrossed resolutions (H. 277,) in favor of disabled soldiers.

Engrossed bill (H. 278,) to re-enact Chapter 70, Revised Code, entitled "Militia," and to amend the same.

Engrossed resolutions (H. 264,) directing the publication of certain acts of the Legislature.

Engrossed resolution (H. P. 56,) to incorporate County Line Lodge, No. 224 A. Y. M.

A message was received from the House of Commons, concurring in the proposition to go forthwith into an election for Solicitor for the 4th Judicial District, and that the name of A. M. Scales was in nomination in that House.

Mr. Harris, of Rutherford, nominated the Hon. Thos. Settle.

The Senate, under the superintendence of Messrs. Bogle and Jones, of Columbus, voted as follows, to wit:

The following named Senators voted for Mr. SETTLE, viz:

Messrs. Speaker, Arendell, Berry, Black, Blount, Bogle, Boner, Boyd, Bullock, Carter, Covington, Coward, Cowles, Donaho, Etheridge, Garner, Gash, Gorrell, Harris, of Franklin, Harris, of Rutherford, Isbell, Jones, of Columbus, Jones of Wake, Keener, Latham, Leitch, of Robeson, McEachern, McLean, Morehead, Morgan, Pitchford, Shober, Snead and Tayloe—34.

The following named Senators voted for Mr. SCALES, viz:

Messrs. Aycock, Cowper, Ferebee, Hall, Howard, McCleese, McKoy, Stanford, Whitford and Wilson—10.

The engrossed bill (H. 194,) to change the jurisdiction of the Courts and the rules of pleading therein, was considered on its third reading as the special order.

Mr. Ferebee moved to amend the first section by striking out all after the enacting clause and insert as follows, viz:

"That from and after the first of December next the several Supreme Courts of law shall have exclusive original jurisdiction to hear, try and determine all causes of a civil nature not cognizable before a Justice of the Peace. *Provided*, That nothing herein contained shall be construed to apply to any causes of action which may hereafter originate, nor to prevent a Court of Pleas and Quarter Sessions from empanneling a jury to try controversies respecting wills upon issues *devisavit vel non*, nor to apply to any cause of action arising *ex delicto*, or to any process of distress for the collection of rent."

Mr. Howard moved to amend the section by adding the following proviso, to wit:

"*Provided, further*, That in all suits, *ex contractu*, the defendant or defendants shall be allowed six months from the return term to plead or demur."

Mr. Ferebee accepted the amendment in lieu of his own.

The amendment was adopted.

Mr. Ferebee moved to amend by striking out the words and figures "Fall Term, 1866" in the second section, and insert the words and figures "*Spring Term*, 1867." Adopted.

Mr. Ferebee moved to amend the fourth section, eleventh line, by striking out the words "one half" and insert the words "*one third*." Rejected.

Mr. Howard moved to amend the ninth section by striking out the following words, viz:

"And that all deeds of trust and mortgages hereafter made, and judgments confessed to secure debts, shall be void as to

creditors, unless it is expressly declared therein that the proceeds of sale thereunder shall be appropriated to the payment of all the debts and liabilities of the trustor or mortgagor equally, *pro rata*. *Provided*, That the provisions of this section shall not apply to sheriffs or other public officers who may make a mortgage or deed of trust, to secure sureties to their official bonds: *And provided further*, That this act shall not apply to sales of land or other property, where the deed of trust or mortgage is taken at the time of sale, to secure any part of the purchase money thereof."

And the question thereon was put, and

Decided in the negative, { Yeas, ... 21, Nays, ... 22.

On motion of Mr. Howard,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Berry, Blount, Boyd, Cowles, Donaho, Ferebee, Hall, Harris, of Franklin, Harris, of Rutherford, Howard, Isbell, Jones, of Wake, Keener, McCleese, McKoy, McLean, Morgan, Snead, Stanford, Williams and Wilson.

Those who voted in the negative are:

Messrs. Arendell, Aycock, Black, Bogle, Boner, Bullock, Carter, Covington, Coward, Cowper, Etheridge, Garner, Gash, Gorrell, Jones, of Columbus, Latham, McEachern, Morehead, Pitchford, Shober, Tayloe and Wiggins.

Mr. Jones, of Columbus, moved to amend, by way of an additional section, as follows, viz:

"*Be it further enacted*, That in all suits brought by any bank of the State, or by any assignee or endorsee of said bank, or any officer of said bank, that it shall and may be lawful for the defendant or defendants to sett off, by pleas or on trial, any note issued by said bank or its branches, whether the same has been presented for payment or not, any law or usage to the contrary notwithstanding. *Provided*, That this act

shall not apply to any debt reduced by the scale of depreciation of Confederate currency."

Mr. Carter moved to amend the amendment, by inserting ofter the word "*notwithstanding*," as follows, viz: "*but said plea of set off or set off on trial, shall not avail to carry costs against the plaintiff, unless there has been a tender of such payment before suit has been brought.*" Adopted.

The amendment, as amended, prevailed.

Mr. Latham moved to amend the first section, by striking out the following words, viz: "*and arising out of contracts entered into before the first day of May, in the year* 1865"; and the question thereon pending,

The Speaker announced a communication to the Senate, as follows, viz:

SENATE CHAMBER, March 7, 1866.

HON. C. S. WINSTEAD,

MY DEAR SIR: I hereby resign the position of Senator for the 38th District, composed of the county of Rockingham.

With sentiments of high regard for yourself and every Senator on this floor,

I have the honor to be

Your ob't. serv't,

THOMAS SETTLE.

The hour of 2 o'clock, P. M. arriving,

The Senate adjourned.

7½ o'clock, P. M.

Mr. Howard introduced the following resolution, viz:

Resolved, That on and after Thursday, the Senate will meet at 10 o'clock, adjourn at 2 P. M. Meet at 3½ o'clock, P. M., adjourn at 5½, P. M. Meet at 7½ o'clock, and adjourn at 11 o'clock, P. M.

On motion of Mr. Howard,

The rules were suspended, and the resolution was adopted.

Mr. Arendell, by permission, introduced a bill (S. P. 87,) to pay the clerk employed by the committee appointed by the Provisional Governor to prepare a Code for Freedmen, which was referred to the Committee on Claims.

The unfinished business being the amendment of Mr. Latham to the first section of the engrossed bill (H. 194,) to change the jurisdiction of the Courts and the rules of pleading therein, it was not adopted.

Mr. Gash moved to amend the fourteenth section, twelfth line, by inserting after the word "*first*," the words "*and ninth*," and change the word "*section*" to "*sections*," and the amendment prevailed.

Mr. Howard moved to amend the ninth section, by adding as follows, viz: "*nor to any such deed made by a lessee of land for any crop growing upon the same, for the purpose of securing the rent reserved for the lease of said land.*" Adopted.

Mr. Leitch, of Robeson, moved to amend by striking out all after the enacting clause and insert as follows, viz:

"That an act, entitled "An act to change the jurisdiction of the courts and the rules of pleading therein," ratified the 11th day of September, 1861, be, and the same is hereby repealed.

Sec. 2. *Be it further enacted*, That this act shall be in force and take effect from and after the first day of January, one thousand eight hundred and sixty-seven." Rejected.

The bill then passed its third reading.

Ordered, To be transmitted to the House for concurrence in the amendments.

Engrossed bill (H. 23,) to provide for the payment of the State debt contracted before the war, on its third reading, was considered as unfinished business.

The question being upon the amendment of Mr. Carter, viz: strike out in the first section, the words "*the interest accruing*

thereon shall be subject to taxation as on other property of the State; Provided, That said tax shall not exceed the taxes of money on interest."

And the question thereon, was put and

Decided in the affirmative, { Yeas,..... 25, Nays,..... 18.

On motion of Mr. Cowles,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Berry, Bogle, Boner, Boyd, Carter, Covington, Coward, Cowper, Donaho, Etheridge, Garner, Hall, Harris, of Rutherford, Isbell, Jones, of Columbus, Jones, of Wake, Leitch, of Robeson, McLean, Morgan, Shober, Snead, Tayloe, Wiggins and Wilson.

Those who voted in the negative are:

Messrs. Aycock, Black, Bullock, Cowles, Gash, Gorrell, Harris, of Franklin, Howard, Keener, Latham, McCleese, McEachern, McKoy, Morehead, Pitchford, Stanford, Whitford and Williams.

Mr. Morehead moved to amend by striking out all after the enacting clause, and insert as follows, to wit:

That for the purpose of paying the interest on the bonds of the State of North-Carolina now due, the Public Treasurer is hereby authorized and required to cause treasury notes to be prepared, to an amount not exceeding in the whole three and one-half millions of dollars: which said notes shall be signed by the Public Treasurer on behalf of the State, and countersigned by the Comptroller; and each of these officers shall keep, in proper books, separate and accurate accounts, showing the number, date and amount of each of said notes, signed and countersigned by them respectively; and also accounts showing all such of said notes as may be paid or redeemed and cancelled from time to time; and the Treasurer shall account, monthly, for all such of said notes as shall have been

countersigned by the Comptroller, and delivered to the Treasurer for issue.

Sec. 2. *Be it further enacted*, That the said Treasury notes shall be payable at the public treasury to the bearer, on the first day of January, A. D., 1870, and shall bear interest from date at the rate of six per centum per annum for every hundred dollars, and in that proportion for sums greater or less than one hundred dollars; and shall be of the several denominations of five dollars, ten dollars, twenty dollars, fifty dollars, one hundred dollars, and be issued in the following proportions, that is to say: of the notes of five dollars and ten dollars, one million dollars each: of twenty dollars, seven hundred and fifty thousand dollars; of fifty dollars, five hundred and fifty thousand dollars; of one hundred dollars, two hundred thousand dollars.

Sec. 3. *Be it further enacted*, That the principal money and interest due on said notes shall be paid at maturity to the several holders thereof, upon demand at the treasury, out of any moneys not otherwise appropriated.

Sec. 4. *Be it further enacted*, That the said notes may be issued by the Public Treasurer in payment of interest due on any bond of the State of North-Carolina, bearing interest, whether there be coupons attached or not; but in all cases of coupon bonds, the coupons due at the time of such payment shall be surrendered to the Treasurer. The said notes shall also, at any time hereafter, be receivable at the treasury in payment of taxes for lands entered, and any other debt due to the State; and in making such payment, the holder shall have credit for the principal money and the interest due on his notes up to the day of payment to the Treasurer, Sheriff, Tax Collector, or other agent of the State; and accounts shall be kept by the Treasurer aforesaid, of the notes thus paid or redeemed, distinguishing the amounts paid for interest from the principal.

Sec 5. *Be it further enacted*, That the said treasury notes

shall be received by the Sheriffs and other collecting officers, in payment of the public and county taxes to the amount of three-fourths of such tax, in their respective counties, and the said officers so receiving any of said notes, shall, at the time of payment, take from the person paying them a receipt on the back of or attached to each note, for the amount allowed therefor, with the date thereof; and such Sheriffs or officers shall each keep a distinct and specific account of the notes so received, showing the person from whom received, the number and date, the day on which received, and the separate amounts of principal and interest allowed by him, and deliver said notes and accounts to the Treasurer; and he shall receive credit for the same, upon making oath to the truth of the account.

SEC. 6. *Be it further enacted*, That the holders of the treasury notes issued under the authority of this act, may fund the same at any time, after the first day of January, 1870, to the Public Treasurer, who is hereby authorized to deliver in exchange for them, computing interest as well as principal, bonds of the State payable in thirty years or earlier, at the pleasure of the Legislature, at the public treasury, bearing interest at the rate of six per cent. per annum, payable half yearly, secured by coupons attached thereunto: *Provided*, That such bonds shall be issued in sums of five hundred dollars, and one thousand dollars only. And they shall be made to bear interest from the first day of January, April, July or October, in the year of their issue, and interest on the notes received in exchange for them, shall not be allowed beyond such day; and of the bonds and notes delivered and received, full and accurate accounts shall be kept as aforesaid; the said bonds to be prepared and issued agreeably to the provisions of the ninetieth chapter of the Revised Code.

SEC. 7. *Be it further enacted*, That the treasury notes received at the treasury as aforesaid shall not be re-issued, but shall be deemed to be paid and be cancelled; but other treas-

ury notes of the same amounts and denominations may be issued as aforesaid, in lieu of those thus cancelled, for the payment of interest on the Bonds of the State from time to time, as the same shall fall due, which shall be capable of all the uses, and subject to the provisions, mentioned in this act: *Provided*, That the amount of said notes at any time outstanding, shall not exceed the sum aforesaid of three and one-half millions of dollars.

SEC. 8. *Be it further enacted*, That for falsely making, forging, counterfeiting, or causing or procuring the same to be done, or willingly aiding or assisting therein, any treasury note, bond or coupon aforesaid; and for uttering or publishing, passing, delivering or attempting to pass or deliver any false, forged or counterfeited treasury note, bond or coupon aforesaid, as provided in regard to other instruments in writing, in section 60 and 61 of the Revised Code, chapter 34, any person so offending shall, on conviction, be punished as therein prescribed.

And the question thereon was put and

Decided in the negative, { Yeas, ... 12. / Nays, ... 30.

On motion of Mr. Morehead,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Aycock, Berry, Black, Bullock, Cowles, Forebee, Gash, Howard, Morehead, Pitchford, Stanford and Whitford.

Those who voted in the negative are:

Messrs. Arendell, Blount, Bogle, Boner, Boyd, Carter, Covington, Coward, Cowper, Donaho, Etheridge, Garner, Gorrell, Hall, Harris, of Franklin, Harris, of Rutherford, Isbell, Jones, of Columbus, Jones, of Wake, Keener, Latham, Leitch of Robeson, McEachern, McKoy, McLean, Shober, Snead, Tayloe, Wiggins and Wilson.

The question then recurring upon the passage of the bill,

When the hour of adjournment arriving,

The Senate adjourned.

THURSDAY, March 8, 1866.

Prayer by Rev. Mr. Miller.

Reports from standing Committees were submitted and filed as follows, to wit:

By Mr. Howard, from the Committee on the Judiciary:

H. 164, engrossed bill to enable the banks of the State to close their business, with a substitute, recommending the adoption thereof.

S. 172, bill to facilitate pleadings in Courts of law, asking to be discharged from its further consideration, as its provisions have been incorporated in a bill already passed by the Senate.

Discharged accordingly.

H. 195, engrossed bill to establish freehold homesteads for citizens of this State, asking to be discharged from its further consideration.

Discharged.

S. 197, bill for the better protection of the Milling and Manufacturing interests in the State, recommending its passage.

H. 115, engrossed bill to authorize the banks of the State to subscribe for stock in national banks, asking to be discharged from its further consideration.

Discharged.

S. P. 78, bill for the relief of Goodman Durden, late Sheriff of Washington county, recommending that it do not pass.

H. 261, engrossed bill to amend an act passed by the General Assembly at the session of 1838-'39, entitled an act to incorporate the Trustees of Greensboro' Female College in the county of Guilford, recommending that the same do pass.

By Mr. Blount, from the Committee on Propositions and Grievances:

Memorial of citizens of Cherokee county; asking to be discharged from its further consideration.

Discharged accordingly.

By Mr. Arendell, from the Committee on Corporations:

S. 198, bill to incorporate Concord Mining Company, with an amendment, recommending its passage.

H. 258, engrossed bill to require a deposit of securities to be made by foreign Insurance Companies doing business in this State, asking to be discharged from its further consideration.

Discharged accordingly.

By Mr. Cowles, from the Committee on Claims:

S. P. 87, resolution to pay the clerk employed by the committee appointed by the Provisional Governor, under the resolution of the Convention "to prepare and report to the Legislature a system of laws upon the subject of freedmen," recommending that it do not pass.

Mr. Jones, of Columbus, from the committee to superintend the election of Solicitor for the 4th Judicial District, reported as follows, viz:

Whole number of votes cast 146. Necessary to a choice 74. Of which Hon. Thos. Settle received 106; Hon. A. M. Scales 40. Mr. Settle, having received a majority of the whole number of votes cast, was duly elected.

The report was concurred in.

Messrs. Berry, Garner and Arendell submitted recommendations for Justices of the Peace for the counties of Orange, Northampton and Jones, which were approved and transmitted to the House.

A message was received from the House of Commons, covering messages from the Governor and Public Treasurer in regard to State cotton, with recommendation proposing to refer it to a Joint Select Committee of two on the part of the Senate, and three on the part of the House. The Senate concurred, and proposed to have the messages printed.

The Speaker designated Messrs. Arendell and McKoy as the Senate branch of the committee.

The House subsequently concurred in the proposition to print.

Messrs. Hutchison, Joyner and Cowan constitute the House branch of the committee.

Bills, &c., of the titles following being introduced, passed, were filed, referred, or otherwise disposed of as follows, viz:

By Mr. Cowles: A bill (S. 203,) for the relief of the people of the several counties of the State.

On motion of Mr. Cowles,

The rules were suspended, and the bill passed its several readings.

Ordered, To be engrossed.

From the House: Engrossed bill (H 280,) for the benefit of the Common Schools.

Engrossed bill (H. 276,) supplemental and amendatory of an act to reorganize the corporation government of the city and academy of Newbern, passed at this session of the General Assembly.

Engrossed resolution (H. 260,) in favor of T. N. Ramsey.

Engrossed resolution (H. 256,) in favor of R. H. Bradley.

A message was received from the House of Commons, transmitting the resolutions (S. R. 168,) in favor of certain disabled soldiers, with an amendment, in which they ask the concurrence of the Senate.

The engrossed bill (H. 23.) to provide for the payment of the State debt contracted before the war, on its third reading, came up as the unfinished business.

The question being "Shall the bill pass its third reading?"

Mr. Howard moved to amend by striking out all after the enacting clause and insert as follows, viz:

"That on application by the holders of coupons due on bonds of the State dated prior to May 20th, 1861, and of past due bonds of the State, dated prior to said day, it shall be the duty of the Commissioners of the Sinking Fund, to sell for not less than the par value thereof, payable in said secu-

rities, shares of the capital stock of the North Carolina Rail Road Company.

Be it further enacted, That the coupons and bonds redeemed in the manner aforesaid, shall be cancelled by the said Commissioners, and a record of the same shall be kept by the Public Treasurer."

And the question thereon was put and,

Decided in the negative, { Yeas, ... 13.
{ Nays, ... 28.

On motion of Mr. Harris, of Rutherford,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Aycock, Cowles, Ferebee, Gash, Harris, of Franklin, Howard, Keener, Latham, McCleese, McKoy, Morehead, Stanford and Williams.

Those who voted in the negative are:

Messrs. Arendell, Berry, Blount, Boner, Boyd, Bullock, Carter, Covington, Coward, Cowper, Donaho, Etheridge, Garner, Hall, Harris, of Rutherford, Isbell, Jones, of Columbus, Jones, of Wake, Leitch, of Robeson, McEachern, McLean, Morgan, Pitchford, Shober, Snead, Tayloe, Wiggins and Wilson.

The question recurring upon the passage of the bill was put and

Decided in the affirmative, { Yeas, ... 25.
{ Nays, ... 18.

On motion of Mr. Carter,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Berry, Boner, Boyd, Carter, Covington, Coward, Cowper, Donaho, Etheridge, Garner, Hall, Harris, of Rutherford, Isbell, Jones, of Columbus, Jones, of Wake, Leitch, of Robeson, McEachern, McLean, Morgan, Shober, Snead, Tayloe, Wiggins and Wilson.

Those who voted in the negative are:

Messrs. Aycock, Black, Blount, Bullock, Cowles, Ferebee, Gash, Gorrell, Harris, of Franklin, Howard, Keener, Latham, McCleese, McKoy, Morehead, Pitchford, Stanford and Williams.

Ordered, To be enrolled.

Engrossed bill (H. 236,) to extend the time for collecting taxes under the Revenue Ordinance of the Convention, under a suspension of the rules, was considered on its second reading.

Mr. Latham moved to amend the first section by striking out the word "April" and insert the word "*May*." Adopted.

Mr. Latham moved to further amend the bill by adding an additional section, as follows, to wit:

"*Be it further enacted*, That when such additional returns of the Sheriffs or collectors shall be less than one thousand dollars, they shall be allowed six per cent. commissions; when equal to one thousand dollars and not exceeding two thousand, five per cent., and when two thousand dollars and upwards, four per cent. commissions."

Adopted.

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

"*Be it further enacted*, That the Sheriffs and tax collectors of the State, and in the event of the death of such Sheriffs and tax collectors, their sureties shall have until the first day of January, 1867, to collect all taxes due in the year 1864, and no longer."

Rejected.

The bill, as amended, passed its second and third readings.

Ordered. To be transmitted to the House for concurrence in the amendments.

Engrossed bill (H. 200,) to be entitled "Revenue" was considered upon its third reading.

Mr. Covington moved to amend the eighth section, Schedule A, by inserting after the word "government" in the 24th line the following proviso, viz:

"*Provided*, That in estimating the income for the year preceding the first day of April, 1866, those subjects on which taxes have actually been paid under the Revenue Ordinance of the Convention shall not be included."

Adopted.

Mr. Howard moved to amend by striking out all after the enacting clause in the eighth section, and insert as follows, viz:

"On surgeon dentists, practicing physicians, practicing lawyers, whose income from their practice shall exceed five hundred dollars, one per cent. on the gross receipts."

And the question being thereon, was put, and

Decided in the negative, { Yeas, ... 12,
{ Nays, ... 25.

On motion of Mr. Latham,

The yeas and nays being ordered,

Mr. Cowles voted in the affirmative.

Messrs. Aycock, Blount, Bullock, Ferebee, Hall, Harris, of Rutherford, Howard, Latham, McKoy, Snead, Stanford and Wiggins.

Those who voted in the negative are:

Messrs. Berry, Black, Boner, Boyd, Carter, Covington, Coward, Cowles, Cowper, Donaho, Etheridge, Garner, Gash, Gorrell, Harris, of Franklin, Isbell, Keener, Leitch, of Robeson, McCleese, McLean, Morehead, Pitchford, Shober, Tayloe and Wilson.

Mr. Hall moved to amend the eighth section, thirty-fifth line, (fifth exception,) by inserting after the word "*food*," the words "*cost of insurance*." Rejected.

Mr. Cowles moved to amend the twelfth section, fifth line, by striking out the word "*fifteen*," and insert the words "*twenty-five*." Lost.

Mr. Gash moved to amend the same section by striking out the words "*for the purpose of sale*," in the fourth and fifth lines, and insert the words "*fifty cents per gallon, and*." Rejected.

Mr. Howard moved to amend the thirteenth section by striking out "*Class* 1."

And the question being thereon, was put, and

Decided in the affirmative, { Yeas, ... 27, Nays, ... 11.

On motion of Mr. Howard,

The yeas and nays being ordered,

Those who voted in the affirmative are,

Messrs. Arendell, Aycock, Blount, Boner, Bullock, Carter, Coward, Cowles, Donaho, Etheridge, Ferebee, Garner, Gash, Gorrell, Hall, Harris, of Franklin, Harris, of Rutherford, Howard, Jones, of Columbus, Jones, of Wake, Latham, Leitch, of Robeson, McEachern, McKoy, Pitchford, Snead and Tayloe.

Those who voted in the negative are:

Messrs. Berry, Black, Covington, Cowper, Isbell, McLean, Morehead, Shober, Stanford, Wiggins and Wilson.

Mr. Cowles moved to amend the same section by striking out "*Class* 2." Rejected.

Mr. Covington moved to amend the first section of Schedule B, by adding the following proviso, viz:

"*Provided*, That if such exhibition be in an incorporated town of two thousand inhabitants or more, a tax of two hundred dollars." Not adopted.

Mr. Hall moved to insert the word "*itinerant*" before the word "*stage*," in the first line of the second section, and at the end of the section add as follows, to wit: "*and two hundred dollars when such company perform for a longer time than two months in any county*," and the amendment prevailed.

Mr. Hall moved to amend the fourth section by striking out the words "*except companies for mutual assurance*." Rejected.

Mr. Hall moved to amend the sixth section by inserting in the first line after the word "*every*," the words "*agency of*," and change the word "*company*" into "*companies*." Adopted.

Mr. Shober moved to amend the thirteenth section by striking out the words "*and fifty*," in the first line. Rejected.

Mr. Pitchford moved to amend the same section by inserting the word "*public*" before the word "*bagatelle.*" Lost.

Mr. Latham moved to amend the eighteenth section by striking out the word "*sells,*" and insert the words "*purchases in or out of the State for sale or gift,*" and strike out the word "*sold*" in the second line, and insert "*so bought or brought into the State,*" and the amendments prevailed.

Mr. Hall moved to amend the same section by striking out the words "*four hundred*" in the sixth line, and insert, in lieu thereof, the words "*two hundred and fifty.*" Adopted.

Mr. Hall moved to amend the twentieth section by inserting after the word "*merchandize*" in the first and second lines, the words "*whether the growth or manufacture of this country, or imported from foreign countries,*" and the amendment prevailed.

The hour arriving, the Senate adjourned.

3½ O'clock, P. M.

The consideration of the engrossed bill (H. 200,) to be entitled "Revenue," was resumed.

Mr. Hall moved to amend the twenty-first section, Schedule B, tenth line, by striking out the word "*Provided,*" and strike out all after the word "*manufacturer,*" in the fourteenth line and insert the following words "*shall pay a tax of one tenth of one per cent.*" Adopted.

Mr. Cowles moved to amend the thirtieth section, third line, by striking out the words "*twenty-five,*" and insert the word "*fifteen.*" Rejected.

Mr. Howard moved to amend the thirtieth section by striking out the words "*this provision,*" where it occurs in the thirteenth and fifteenth lines, and insert, in lieu thereof," the words "*the foregoing proviso concerning license.*"

Adopted.

The bill as amended, passed its third reading.

Ordered, To be transmitted to the House for concurrence in the amendments.

Bills of the titles following being received from the House of Commons, passed their first reading and were filed, as follows, viz:

Engrossed bill (H. 261) regulating fees in the Supreme Court.

Engrossed bill (H. 244,) authorizing the renewal of certain State bonds in the hands of the Chatham Railroad Company.

Engrossed bill (H. 193,) to incorporate the Newbern Savings Institution.

The Senate concurred in recommendations transmitted from the House, for additional Justices of the Peace for Bladen county.

A message was received from the House of Commons, transmitting the engrossed bill (H. 194,) to change the jurisdiction of the courts and the rules of pleading therein, informing the Senate that they refused to concur in the amendment to the ninth section, and also the amendment to line twelfth, section fourteenth.

Mr. Howard moved that the Senate recede from the amendments, and the question thereon being put, was

Decided in the affirmative, { Yeas, ... 22,
Nays, ... 18.

On motion of Mr. Morehead,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Berry, Blount, Boyd, Coward, Cowles, Donaho, Ferebee, Gash, Hall, Harris, of Franklin, Harris, of Rutherford, Howard, Keener, McCleese, McEachern, McKoy, McLean, Morgan, Snead, Stanford, Williams and Wilson.

Those who voted in the negative are:

Messrs. Arendell, Black, Boner, Bullock, Carter, Covington, Cowper, Etheridge, Garner, Gorrell, Isbell, Latham, Morehead, Pitchford, Shober, Tayloe, Whitford, Wiggins.

Mr. Tayloe submitted additional names as Justices of the Peace for Bertie county, which were approved and transmitted to the House.

Bills of the titles following being read the third time, were disposed of as follows, to wit:

S. 43, bill to be entitled "An act to establish a scale of depreciation of Confederate currency."

Mr. Harris, of Rutherford, moved to amend by striking out the scale in the first section, and insert the following scale, viz:

Months.	1861.	1862.	1863.	1864.	1865.
January,	—	$1.20	$3.00	$21.00	$50.00
February,	—	1.30	3.00	21.00	50.00
March,	—	1.50	4.00	23.00	60.00
April,	—	1.50	5.00	20.00	100.00
May,	$1.10	1.50	5.50	19.00	—
June,	1.10	1.50	6.50	18.00	—
July,	1.10	1.50	9.00	21.00	—
August,	1.10	1.50	14.00	23.00	—
September,	1.10	2.00	14.00	25.00	—
October,	1.12	2.00	14.00	26.00	—
November,	1.15	2.50	15.00	30.00	—
December,	1.20	2.50	20.00	—	—
December 1st to 10th,				35.00	—
" 10th to 20th,				42.00	—
" 20th to 30th.				49.00	—

And the question thereon was put and

Decided in the affirmative, { Yeas, ... 27, Nays, ... 16.

On motion of Mr. Carter,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Aycock, Blount, Boner, Coward, Cowper, Donaho, Ferebee, Hall, Harris, of Franklin, Harris, of Rutherford, Howard, Isbell, Keener, Latham, Leach, of Davidson,

Leitch, of Robeson, McCleese, McEachern, McKoy, McLean, Morgan, Shober, Snead, Stanford, Wiggins and Williams.

Those who voted in the negative are:

Messrs. Berry, Black, Bogle, Boyd, Bullock, Carter, Covington, Cowles, Garner, Gash, Gorrell, Jones, of Wake, Morehead, Pitchford, Tayloe and Wilson.

The question recurring upon the passage of the bill, as amended, was put, and

Decided in the affirmative, { Yeas, ...28. / Nays, ...14.

On motion of Mr. Carter,

The yeas and nays being ordered,

Those who voted in the affirmative are,

Messrs. Arendell, Aycock, Blount, Bogle, Boner, Coward, Cowper, Donaho, Gash, Hall, Harris, of Franklin, Harris, of Rutherford, Howard, Isbell, Keener, Latham, Leach, of Davidson, Leitch, of Robeson, McCleese, McEachern, McKoy, McLean, Morgan, Shober, Snead, Stanford, Wiggins and Williams.

Those who voted in the negative are:

Messrs. Berry, Black, Boyd, Bullock, Carter, Covington, Cowles, Garner, Gorrell, Jones, of Wake, Morehead, Pitchford, Tayloe and Wilson.

Ordered, To be engrossed.

H. 19, engrossed bill to prevent the abatement of suits in certain cases. Passed.

Ordered, To be transmitted to the House for concurrence in amendments.

S. 82, bill to amend an act, entitled "An act for the relief of landlords."

On motion of Mr. Howard,

Laid on the table.

H. 48, engrossed resolution making appropriation for the Lunatic Asylum.

Mr. Cowles moved to amend, by adding the following proviso, viz:

"*Provided*, That no part of said sum shall be applied to the payment of said salaries due before the first day of April last."

And the question thereon pending,

The hour arriving,

The Senate adjourned.

7½ o'clock, P. M.

The consideration of the engrossed resolution, (H. 48,) making appropriation for the Lunatic Asylum, was resumed as the unfinished business.

The question being upon the amendment of Mr. Cowles, it was put, and decided in the negative.

Mr. Howard moved to amend, by striking out all after the enacting clause, and insert the bill (S. 185,) in relation to the Insane Asylum, with an additional section, as follows:

"*Be it further enacted*, That the Board of Supervisors shall be, and they are hereby authorized to draw from the treasury of the State such sums as they may find, on full investigation, to be necessary to support the Asylum, and keep the same in proper repair during the present fiscal year: *Provided*, The aggregate thus drawn shall not exceed thirty-five thousand dollars.

The amendment was adopted.

As amended, the bill passed, and was transmitted to the House for concurrence.

On motion of Mr. Latham,

The rules were suspended, and the engrossed bill (H. 235.) for collecting revenue was considered, on its second and third readings.

Mr. Howard moved to amend the twenty-first section of Schedule C., by adding the following proviso, viz:

"*Provided*, That in all cases where counties have failed to lay county taxes at the first term in this year, the Court of Pleas and Quarter Sessions held hereafter, or a Special Term called according to this section, may lay the same." Adopted.

The bill, as amended, passed its several readings.

Ordered, To be transmitted to the House for concurrence in the amendment.

Bills, &c., of the titles following being read the third time, were disposed of as follows, viz:

S. R. 124, resolutions declaring what debts are valid, and what not valid under the ordinance of the Convention.

Mr. Wiggins moved to lay the resolutions on the table.

And the question was put, and

Decided in the affirmative. { Yeas, ... 19,
Nays, ... 18.

On motion of Mr. Wilson,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Aycock, Berry, Boner, Bullock, Covington, Cowles, Cowper, Donaho, Etheridge, Ferebee, Harris, of Franklin, Keener, McEachern, McKoy, McLean, Snead, Stanford, Wiggins and Wilson.

Those who voted in the negative are:

Messrs. Arendell, Black, Blount, Bogle, Boyd, Coward, Garner, Gash, Gorrell, Hall, Harris, of Rutherford, Jones, of Columbus, Jones, of Wake, Latham, Leitch, of Robeson, McCleese, Morehead and Tayloe.

H. 156, engrossed bill to legalize the transfer of registered bonds of this State to bearer. Passed.

Ordered, To be enrolled.

S. 153, bill for establishing a College for the education of teachers and ministers of the gospel of the colored race.

And the question "Shall the bill pass?" was put, and

Decided in the affirmative, { Yeas, ... 18,
Nays, ... 10.

On motion of Mr. McCleese,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Berry, Black, Blount, Boner, Boyd, Bullock, Coward, Cowles, Donaho, Gash, Gorrell, Hall, Harris, of Rutherford, Jones, of Wake, Leitch, of Robeson, McEachern and Wilson.

Those who voted in the negative are:

Messrs. Aycock, Cowper, Jones, of Columbus, Keener, Latham, McCleese, McLean, Morehead, Snead and Wiggins.

Ordered, To be engrossed.

S. R. 159, resolutions for the relief of the town of Fayetteville. Passed.

Ordered, To be engrossed.

On motion of Mr. Howard,

The Senate adjourned.

FRIDAY, March 9, 1866.

Prayer by the Rev. A. Smedes, D. D.

Mr. Garner, from the Committee on Public Buildings, reported back the resolution in reference to the removing of the Water Closets from the Capitol, asking to be discharged from its further consideration.

Discharged accordingly.

Messrs. Gorrell and Snead made additional recommendations for Justices of the Peace for the counties of Chatham and Johnson, which were approved and transmitted to the House.

The Senate concurred in recommendations for Justices of the Peace for the counties of Edgecombe, Pitt, Granville and Yancey, transmitted from the House.

A message was received from the House of Commons transmitting the report of the Joint Select Committee, under the resolution to raise funds to establish National Banks, based on mortgages of real estate.

Bills and resolutions of the titles following being read the first time, passed their first reading, and were disposed of, as follows, viz:

By Mr. Carter: A resolution (S. 207,) to authorize the Public Treasurer to have his name engraved on the coupons of State bonds.

On motion of Mr. Carter,

The rules were suspended, and the resolution passed its several readings.

Ordered, To be engrossed.

By Mr. Carter: A resolution (S. 208,) to provide for a deficiency in the treasury.

On motion of Mr. Carter,

The rules were suspended, and the bill passed its several readings.

Ordered, To be engrossed.

From the House: Engrossed bill (H. 254,) to amend an act, entitled "An act to promote and encourage the planting of Oysters and Clams. Filed.

Engrossed bill (H. 281,) to amend the 64th section of the 6th chapter of the Revised Code. Filed.

Engrossed bill (H. 206,) to amend the Asheville and Greenville Plank Road Company. Filed.

Engrossed bill (H. 210,) to incorporate the Mayor and Board of Aldermen of the City of Charlotte. Filed.

Engrossed bill (H. 216,) to incorporate the Weldon Publishing Company. Filed.

Engrossed bill (H. 194,) to extend the corporate limits of the town of Kinston, and for other purposes. Filed.

The Senate concurred in the recommendations for Justices

of the Peace for the counties of Northampton and Craven, transmitted from the House.

The Senate concurred in the amendment of the House of Commons to the resolution (S. 174,) in favor of John True and others.

On motion of Mr. Whitford,

The rules were suspended and the engrossed bill (H. 276,) supplemental and amendatory of an act to reorganize the corporation governments of the city and academy of Newbern, passed at this session of the General Assembly, placed upon its several readings and was passed.

Ordered, To be enrolled.

On motion of Mr. Howard,

The rules were suspended, and the engrossed bill (H. 261,) regulating fees in the Supreme Court, passed its several readings.

Ordered, To be enrolled.

The House of Commons concurred in the amendments to the engrossed bills (H. 200,) to be entitled "Revenue" and (H. 235,) for collecting "Revenue."

Ordered, To be enrolled.

The House of Commons concurred in the Senate amendment to the engrossed bill (H. 17,) to regulate the terms of the Supreme Court, the same having been agreed upon by the Committee of Conference of the two houses.

Ordered, To be enrolled.

Mr. Snead moved that the vote by which the Senate laid on the table the resolutions (S. R. 124,) declaring what debts are valid and what not valid under the Ordinance of the Convention, be reconsidered.

Mr. Donaho moved to lay the motion on the table, and it

Did not prevail, { Yeas, ... 16,
Nays, ... 23.

On motion of Mr. Harris, of Rutherford,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Aycock, Berry, Covington, Cowper, Donaho, Ferebee, Hall, Harris, of Franklin, Keener, McCleese, McKoy, McLean, Standford, Whitford, Wiggins and Wilson.

Those who voted in the negative are:

Messrs. Arendell, Black, Blount, Bogle, Boner, Boyd, Bullock, Carter, Cowles, Etheridge, Garner, Gash, Gorrell, Harris, of Rutherford, Isbell, Jones, of Columbus, Jones, of Wake, Latham, Morehead, Pitchford, Shober, Snead, and Tayloe.

And the question recurring upon the motion of Mr. Snead, was put, and

Decided in the affirmative, { Yeas, ... 23. / Nays, ... 16.

On motion of Mr. Carter,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Black, Blount, Bogle, Boner, Boyd, Bullock, Carter, Coward, Etheridge, Garner, Gash, Gorrell, Harris, of Rutherford, Isbell, Jones, of Columbus, Jones, of Wake, Latham, Morehead, Pitchford, Shober, Snead and Tayloe.

Those who voted in the negative are:

Messrs. Aycock, Berry, Covington, Cowles, Cowper, Donaho, Ferebee, Hall, Harris, of Franklin, Keener, McCleese, McKoy, McLean, Stanford, Wiggins and Wilson.

Mr. Cowper moved to strike out the fifth resolution, and the question thereon was put and

Decided in the affirmative, { Yeas, ... 32, / Nays, ... 4.

On motion of Mr. Cowper,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Aycock, Berry, Black, Blount, Boner, Boyd, Bullock, Carter, Covington, Cowles, Cowper, Donaho, Etheridge, Garner, Gorrell, Harris, of Franklin, Harris, of Rutherford, Isbell, Jones, of Columbus, Jones, of Wake, Keener, Latham, McCleese, McEachern, McLean, Morehead, Pitchford, Snead, Stanford, Whitford, Wiggins and Wilson.

Those who voted in the negative are,

Messrs. Ferebee, Gash, Hall and Leitch, of Robeson.

The question now recurring upon the passage of the resolutions their final reading was put, and

Decided in the negative. { Yeas, ... 15, Nays, ... 19.

On motion of Mr. Cowper,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Black, Blount, Boner, Boyd, Carter, Etheridge, Garner, Gash, Gorrell, Harris, of Rutherford, Jones, of Wake, Latham, Pitchford, Snead and Tayloe.

Those who voted in the negative are:

Messrs. Aycock, Berry, Bullock, Covington, Cowles, Cowper, Donaho, Ferebee, Hall, Harris, of Franklin, Isbell, Keener, McCleese, McEachern, McLean, Morehead, Stanford, Wiggins and Wilson.

The engrossed bill (H. 82,) concerning negroes and persons of color or of mixed blood, was considered on its third reading.

Mr. Carter moved to amend the fourth section by striking out the following words, viz:

"That the former masters of any such apprentice, when they shall be regarded as suitable persons by the court, shall be entitled to have such apprentices bound to them in preference to other persons."

And the amendment did not prevail, { Yeas, ... 15, Nays, ... 25.

On motion of Mr. Carter,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Bogle, Boner, Boyd, Carter, Cowles, Donaho, Gash, Gorrell, Harris, of Rutherford, Jones, of Columbus, Jones, of Wake, Keener, Leitch of Robeson, Shober and Tayloe.

Those who voted in the negative are:

Messrs. Aycock, Berry, Black, Blount, Bullock, Covington,

Cowper, Etheridge, Ferebee, Garner, Hall, Harris, of Franklin, Howard, Isbell, Latham, McCleese, McEachern, McLean, Morehead, Pitchford, Snead, Stanford, Whitford, Wiggins and Wilson.

Mr. Carter moved to amend the ninth section by striking out the following words, viz:

"*Provided*, That this section shall not go into effect until jurisdiction in matters relating to freedmen shall be fully committed to the courts of the State."

And the amendment was not adopted, { Yeas, ... 18, / Nays, ... 22.

On motion of Mr. McCleese,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Black, Bogle, Boner, Boyd, Bullock, Carter, Covington, Donaho, Gash, Gorrell, Harris, of Rutherford, Isbell, Jones, of Columbus, Jones, of Wake, Shober, Tayloe and Wilson.

Those who voted in the negative are:

Messrs. Aycock, Berry, Blount, Cowles, Cowper, Ferebee, Garner, Hall, Harris, of Franklin, Howard, Keener, Latham, McCleese, McEachern, McLean, Morehead, Pitchford, Snead, Stanford, Whitford, Wiggins and Williams.

Mr. Leitch, of Robeson, moved to amend by striking out the ninth section, and the question thereon was put, and

Decided in the negative, { Yeas, ... 15, / Nays, ... 20.

On motion of Mr. Leitch, of Robeson.

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Bullock, Cowles, Cowper, Ferebee, Harris, of Rutherford, Jones, of Columbus, Jones, of Wake, Latham, Leitch, of Robeson, McCleese, McLean, Morehead, Pitchford, Snead and Wiggins.

Those who voted in the negative are:

Messrs. Arendell, Berry, Black, Blount, Bogle, Boner, Boyd, Carter, Garner, Gash, Hall, Howard, Isbell, Keener, Shober, Stanford, Tayloe, Whitford, Williams and Wilson.

The question recurring upon the passage of the bill, was put, and

Decided in the affirmative, { Yeas, ... 22, Nays, ... 19.

On motion of Mr. McCleese,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Aycock, Berry, Black, Blount, Bogle, Boner, Boyd, Carter, Donaho, Etheridge, Gash, Hall, Howard, Isbell, Keener, McEachern, Shober, Stanford, Tayloe, Whitford and Wilson.

Those who voted in the negative are:

Messrs. Bullock, Covington, Cowles, Cowper, Ferebee, Garner, Harris, of Franklin, Harris, of Rutherford, Jones, of Columbus, Jones, of Wake, Latham, Leitch, of Robeson, McCleese, McLean, Morehead, Pitchford, Snead, Wiggins and Williams.

Ordered, To be enrolled.

On motion of Mr. Pitchford,

Leave of absence was granted to Mr. McLean from and after to-day for the rest of the session.

S. 109, bill to abolish the office of Superintendent of Public Schools, Treasurer of the Literary Fund, and for other purposes, came up in order on its third reading.

Mr. Howard moved to amend by striking out all after the enacting clause, and insert the engrossed bill (H. ——,) for the benefit of the Common Schools.

Mr. Jones, of Columbus, moved to amend the amendment by striking out that part of section ninth, appropriating seventy-five thousand dollars for the support of the Common School for the present year.

The question being thereon,

A message was received from the House of Commons, transmitting the bill (S. 43,) to establish a scale of depreciation of Confederate Currency, with amendments.

And the question being upon the concurrence in the amendments of the House of Commons,

The hour arriving, the Senate adjourned.

3½ O'clock, P. M.

The message from the House of Commons, asking the concurrence of the Senate in amendments to the bill (S. 43,) to establish a scale of depreciation of Confederate Currency, being the pending question, the Senate concurred.

The consideration of the bill (S. 109,) to abolish the office of Superintendent of Public Schools, Treasurer of the Literary Fund and for other purposes, was resumed as the unfinished business. The question being upon the amendment of Mr. Howard, was put, and

The amendment was adopted, { Yeas, ... 23, Nays, ... 14.

On motion of Mr. Jones, of Columbus,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Aycock, Berry, Blount, Bogle, Boyd, Bullock, Carter, Covington, Cowles, Cowper, Etheridge, Garner, Gash, Gorrell, Harris, of Franklin, Harris, of Rutherford, Jones, of Columbus, Jones, of Wake, McCleese, Pitchford, Tayloe and Wiggins.

Those who voted in the negative are:

Messrs. Donaho, Ferebee, Hall, Howard, Isbell, Keener, Leach, of Davidson, McEachern, McKoy, McLean, Shober, Snead, Stanford and Wilson.

Mr. Howard moved to amend, by making the appropriation fifty thousand dollars, and strike out the proviso to ninth section. Lost.

The amendment of Mr. Howard was then rejected.

The question then recurring upon the passage of the bill, was put, and the bill was passed.

Ordered, To be engrossed.

Bills and resolutions of the titles following being read the second time, were disposed of as follows, viz:

S. 80, bill regulating the jurisdiction of the Courts, and for other purposes.

Laid on the table.

S. R. 160, resolutions concerning the Commissioners and the Secretary of the Sinking Fund.

Indefinitely postponed.

S. 162, bill to extend the terms of office of certain county officers.

On motion of Mr. Carter,

The rules were suspended, and the bill passed its several readings.

Ordered, To be engrossed.

H. 269, engrossed bill to authorize the Public Treasurer to make special deposits.

On motion of Mr. Wiggins,

The rules were suspended, and the bill passed its several readings.

Ordered, To be enrolled.

On motion of Mr. Carter,

So much of the sixteenth rule of the Senate as prevents bills from being sent from the Senate, until 12 o'clock the day succeeding their passage, was suspended.

The hour arriving,

The Senate adjourned.

7½ o'clock, P. M.

On motion of Mr. Jones, of Columbus,

S. 117, bill to establish the rate of interest and repeal chapter 114, Revised Code, was taken from the table, and considered on its third reading.

Mr. Howard moved to amend the first section, by striking out the words "*the excess of interest beyond six per cent. per annum*," and insert the words "*the interest*." Adopted.

Mr. Leitch, of Robeson, moved to indefinitely postpone its further consideration, and the question being put, was

Decided in the negative, { Yeas, ... 15, Nays, ... 21.

On motion of Mr. Wiggins,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Aycock, Blount, Cowles, Cowper, Gorrell, Isbell, Latham, Leach, of Davidson, Leitch, of Robeson, McCleese, Morehead, Pitchford, Snead, Stanford and Wiggins.

Those who voted in the negative are:

Messrs. Arendell, Berry, Boyd, Bullock, Carter, Covington, Coward, Donaho, Etheridge, Ferebee, Garner, Gash, Harris, of Rutherford, Howard, Jones, of Columbus, Jones, of Wake, Keener, McKoy, Tayloe, Whitford and Williams.

Mr. Morehead moved to postpone the further consideration of the bill until Monday, March 12th, at 6 o'clock, A. M.,

And the question being put, was

Decided in the negative, { Yeas, ... 16, Nays, ... 20.

On motion of Mr. Morehead,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Aycock, Berry, Black, Blount, Cowles, Cowper, Gorrell, Harris, of Franklin, Leach, of Davidson, Leitch, of Robeson, McCleese, Morehead, Pitchford, Snead, Tayloe and Wiggins.

Those who voted in the negative are:

Messrs. Bogle, Boyd, Bullock, Carter, Covington, Donaho, Etheridge, Ferebee, Gash, Harris, of Rutherford, Howard, Isbell, Jones, of Columbus, Jones, of Wake, Keener, McKoy, Stanford, Whitford, Williams and Wilson.

And the question recurring upon the passage of the bill, was put, and

Decided in the affirmative, { Yeas, ... 20. Nays, ... 18.

On motion of Mr. McCleese,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Bogle, Bullock, Carter, Covington, Donaho, Etheridge, Ferebee, Garner, Gash, Harris, of Rutherford, Howard, Jones, of Columbus, Jones, of Wake, Keener, McKoy, Stanford, Tayloe, Whitford and Wilson.

Those who voted in the negative are:

Messrs. Aycock, Berry, Black, Blount, Cowles, Cowper, Gorrell, Harris, of Franklin, Isbell, Latham, Leach, of Davidson, Leitch, of Robeson, McCleese, Morehead, Pitchford, Snead, Wiggins and Williams.

Ordered, To be engrossed.

Bills and resolutions of the titles following being read the second time, were disposed of as follows, to wit:

H. 164, engrossed bill to enable the Banks of the State to close business. Postponed until Saturday, March 10th, at 10½ o'clock.

H. 230, engrossed bill to amend an act concerning Justices of the Peace in Bladen county.

On motion of Mr. Jones, of Columbus,

The rules were suspended, and the bill passed its several readings.

Ordered, To be enrolled.

On motion of Mr. Wilson,

The rules were suspended, and the engrossed bill, (H. 261,)

to amend an act passed by the General Assembly at the session of 1838–'39, entitled "An act to incorporate the Trustees of Greensboro' Female College, in the county of Guilford," was considered on its third reading, and passed.

Ordered, to be enrolled.

The Senate concurred in the amendment to the resolution (S. R. 168,) in favor of certain disabled soldiers, transmitted from the House.

Engrossed bill (H. 229,) for the relief of the owners of lands and houses, was laid on the table.

The Senate concurred in recommendations for Justices of the Peace for the counties of Craven and Caldwell, transmitted from the House.

A message was received from the House of Commons, refusing to concur in the Senate amendment to the bill (H. 19,) to prevent the discontinuance of causes in certain cases.

The Senate receded from the amendment.

The Senate concurred in the following resolution, transmitted from the House, viz:

Resolved, That the correspondence in relation to the cotton belonging to the State be deposited with the Public Treasurer, and that he be, and is hereby required to prosecute the investigation, to the end that the interests of the State may be subserved.

Adopted.

The House concurring in the Senate amendments to the engrossed bill (H. 236,) to extend the time for collecting taxes under the Revenue Ordinance of the Convention; it was

Ordered, To be enrolled.

A message was received from the House of Commons, concurring in the substitute proposed by the Senate to the engrossed resolutions making an appropriation for the Lunatic Asylum, with an amendment.

The Senate refused to concur in the amendment.

Bills of the titles following being received from the House, passed their first reading, and were disposed of as follows, viz:

Engrossed bill (H. 193, to amend the act of incorporation of the town of Newton, in Catawba county. Filed.

Engrossed bill (H. 204,) authorizing the town of Wadesboro' to levy taxes.

On motion of Mr. Covington,

The rules were suspended, and the bill passed its several readings.

Ordered, To be enrolled.

On motion of Mr. Harris, of Rutherford,

The Senate adjourned.

SATURDAY, March 10, 1866.

Mr. Cowles, from the Committee on Claims, reported back the engrossed resolution (H. P. 49,) in favor of C. Kuester & Bro., with an amendment, recommending its passage.

Messrs. Wiggins and Cowles submitted recommendations for Justices of the Peace for the counties of Halifax and Yadkin, which were approved and transmitted to the House.

The Senate concurred in the recommendations for Justices of the Peace for the counties of Forsythe, Martin, Rowan, Anson and Guilford, transmitted from the House.

Those for Currituck county were laid on the table.

Resolutions of the titles following, being introduced, were disposed of as follows, viz:

By Mr. McCleese: Resolution (S. P. 98,) in favor of the Doorkeepers.

On motion of Mr. McCleese,

The rules were suspended and the resolution passed its several readings.

Ordered, To be engrossed.

By Mr. Gash: Resolution (S. 212,) to take the sense of the people upon a Penitentiary. Filed.

From the House: Engrossed resolution (H. 266,) in favor of Catharine Kendall. Filed.

The Senate concurred in the amendment proposed by the House of Commons, to the bill (S. P. 73,) to charter the City of Raleigh.

The Senate was informed by message that the House of Commons receded from its amendment to the bill (S. 185,) in relation to the Insane Asylum.

Engrossed bill (H. 164,) to enable the banks of the State to close business, on its second reading, was considered as the special order, the question being upon the amendment proposed by the Committee on the Judiciary.

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

"*Be it further enacted*, That all suits on debts due the banks, contracted with a branch, must be brought in the county where the branch was established, and, if brought in any other county, may be dismissed on motion."

Adopted.

As amended, the amendment prevailed.

Ordered, To be transmitted to the House for concurrence in the amendment.

A resolution of the title following being considered on its second reading, was passed under a suspension of the rules, and ordered to be engrossed, viz:

Resolution (S. P. 100,) in favor of Wm. Thompson, of Wake county.

Engrossed bills, &c., of the titles following, on their second reading, were passed to their enrollment, under a suspension of the rules, and were so ordered, viz:

H, 278, to re-enact Chapter 70, Revised Code, entitled "Militia," and to amend the same.

H. 173, to establish a Board of Commissioners of Navigation.

H. 271, for the relief of Robert Christy and others.

H. P. 56, to incorporate County Line Lodge, No. 224, A. Y. M.

H. 260, in favor of R. H. Bradley.

H. 280, to incorporate the Newbern Savings' Institution.

H. 254, to incorporate the Mayor and Board of Aldermen of the City of Charlotte.

H. 161, to amend the charter of the Asheville and Greenville Plankroad Company.

H. 266, to incorporate the Weldon Publishing Company.

H. 242, to extend the corporate limits of the town of Kinston and for other purposes.

H. 236, to amend the act of incorporation of the town of Newton in Catawba county.

H. 279, in favor of Catharine Kendall.

Engrossed bills, &c., of the following titles were amended as follows, passed and transmitted to the House for concurrence, viz:

H. P. 49, in favor of C. Keuster & Bro. Amended by reducing the account by the scale of depreciation of Confederate currency.

H. 285, to regulate the sale of spirituous liquors in the town of Salem, Forsythe county. Amended on motion of Mr. Boner, by striking out "one gallon" in the first section and inserting "*three gallons*"; and by striking out "twenty-five" in the second section and inserting "*fifty*."

The House of Commons having subsequently concurred in these amendments, the bills were ordered to be enrolled.

Bills, &c., of the titles following were indefinitely postponed, viz:

H. 153, engrossed bill to incorporate the "Bladen Land Company."

S. P. 72, bill to incorporate the Yadkin and Cape Fear Canal Company.

S. P. 78, bill for the relief of Goodmen Durden, late Sheriff of Washington county.

H. 240, engrossed bill to incorporate the Business Exchange of Elizabeth City and vicinity.

H. 196, engrossed bill to incorporate the North Carolina Mining Company.

S. P. 87, bill to pay the Clerk employed by the Committee appointed to prepare a Code for Freedmen.

H. 115, engrossed bill to authorize the banks of the State to subscribe for stock in national banks was

Indefinitely postponed, { Yeas, ... 19. / Nays, ... 15.

On motion of Mr. Jones, of Columbus,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Bogle, Boner, Boyd, Bullock, Carter, Coward, Cowles, Etheridge, Garner, Gorrell, Harris, of Franklin, Harris, of Rutherford, Jones, of Columbus, Keener, Morehead, Pitchford, Snead and Tayloe.

Those who voted in the negative are:

Messrs. Aycock, Berry, Covington, Cowper, Donaho, Ferebee, Gash, Howard, Leitch, of Robeson, McEachern, McKoy, Shober, Whitford, Wiggins and Wilson.

A message was received from the House of Commons, informing the Senate that they had concurred in the Senate amendment to the engrossed bill (H. 164,) to enable the banks of the State to close business.

Ordered, To be enrolled.

The following engrossed bills being received from the House, were disposed of as follows, to wit:

H 209, bill to legalize the official acts of Sheriffs.

On motion of Mr. Howard,

The bill was amended by inserting the word "*intended*" be-

fore the words "to be" in the proviso, and, under a suspension of the rules, passed.

Ordered, To be transmitted to the House for concurrence in the amendment.

The House subsequently concurring in the amendment, the bill was ordered to be enrolled.

H. 167, bill improving the law of evidence, the rules were suspended, and the question being "Shall the bill pass?" was put and

Decided in the affirmative, { Yeas, ... 27. Nays, ... 7.

On motion of Mr. Cowper,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Arendell, Blount, Boner, Boyd, Bullock, Carter, Covington, Cowles, Donaho, Etheridge, Ferebee, Garner, Gash, Gorrell, Harris, of Franklin, Harris, of Rutherford, Howard, Jones, of Wake, Keener, McCleese, McEachern, McKoy, Pitchford, Shober, Snead, Wiggins and Wilson.

Those who voted in the negative are:

Messrs. Aycock, Berry, Cowper, Jones, of Columbus, Leitch, of Robeson and Morehead.

Ordered, To be enrolled.

S. 177, bill to declare valid an act of the General Assembly, amending the charter of the Chatham Railroad Company, was considered on its second reading

The question being upon the amendment proposed by the Committee on Internal Improvements, viz:

Strike out all after the word "*scaled*," in the first section, and insert the following words: "*according to the specie value of subscription at the time of payment, by the rule of scaling laid down by the General Assembly*," it was adopted.

The hour arriving, the Senate adjourned.

3½ O'clock, P. M.

The consideration of the bill (S. 177,) to declare valid an act of the General Assembly, amending the charter of the Chatham Railroad Company, was resumed as the unfinished business.

Mr. Howard moved that the further consideration of the bill be indefinitely postponed, and the question being thereon, was put, and

Decided in the affirmative, { Yeas,..... 16. Nays,..... 14.

On motion of Mr. Howard,

The yeas and nays being ordered,

Those who voted in the affirmative are:

Messrs. Aycock, Berry, Blount, Boner, Boyd, Covington, Cowles, Cowper, Donaho, Etheridge, Ferebee, Garner, Gash, Howard, Jones, of Columbus and McCleese.

Those who voted in the negative are:

Messrs. Arendell, Bullock, Carter, Coward, Gorrell, Harris, of Rutherford, Jones, of Wake, Keener, Leitch, of Robeson, McKoy, Pitchford, Shober, Snead and Wilson.

Mr. Ferebee, from the Joint Select Committee on the subject, reported a resolution (S, 214,) in relation to the report of Dr. Curtis, which, under a suspension of the rules, passed its several readings.

Ordered, To be engrossed.

The Senate concurred in a recommendation for Justices of the Peace for Brunswick county, transmitted from the House.

Those for Columbus were laid on the table.

The Senate concurred in the resolution of thanks to Rev. C. H. Wiley, transmitted from the House.

Bills of the titles following, on their second reading, passed, under a suspension of the rules, to their engrossment, and were so ordered, viz:

S. 184, concerning the Dismal Swamp Canal.

S. 197, for the better protection of the Milling and Manufacturing interest in the State.

Engrossed bills, &c., of the titles following, passed their second and third readings and were ordered to be enrolled, viz:

H. 251, to authorize the sale of the Roanoke Valley Railroad Company.

H. 255, to reduce the bonds of sheriffs and other officers.

H. 237, to repair the State House and to have other repairs made as may be necessary.

H. 219, to authorize the Chairman of the County Court for Alamance county to sell real estate.

H. 274, to amend the charter of the Williamston and Tarboro' Railroad Company, and for other purposes.

H. 210, in favor of disabled soldiers.

H. 199, relating to debts created during the late war.

H. 257, directing the publication of certain acts of the Legislature.

H. 217, to amend the 64th section of the 60th chapter of the Revised Code.

Bills, &c., of the titles following were indefinitely postponed, viz:

H. 178, engrossed bill concerning assignments.

S. 172, bill to facilitate pleadings in courts of law.

H. 195, engrossed bill to establish freehold Homesteads for citizens of the State.

H. 248, engrossed bill to authorize the sale of a lot in the City of Raleigh for a burial ground.

H. 258, engrossed bill to require a deposit of securities to be made by Foreign Insurance Companies, doing business in this State.

S. 198, bill to incorporate Concord Mining Company.

H. ——, engrossed bill for the benefit of the Common Schools.

H. 233, engrossed bill authorizing the renewal of certain State Bonds in the hands of the Chatham Railroad Company.

H. 284, engrossed bill to amend an act, entitled "An act

to promote and encourage the planting of oysters and clams.

H. 270, in favor of T. N. Ramsay.

On motion of Mr. Ferebee,

The Senate adjourned until Monday morning at 6 o'clock.

MONDAY, March 12, 1866.

6 o'clock, A. M.

The Speaker designated Messrs. McKoy, Boner, Shober, Donaho, McCleese and Boyd as Committee on Enrolled Bills.

Mr. Leitch, of Robeson, introduced the following resolution, (McCowles in the chair,) viz:

Resolved, That the thanks of the Senate are due and hereby tendered to Hon. C. S. Winstead for the dignity, impartiality and ability with which the duties of the office of Speaker have been discharged by him.

Adopted unanimously.

Mr. McCleese introduced the following resolution, viz:

Resolved, That the thanks of the Senate are due and hereby tendered to the Principal and Assistant Clerks and the Doorkeepers of this House, for the faithful performance of their duties during the present General Assembly.

Adopted.

A message was received from the House of Commons, informing the Senate that they were prepared to execute the joint order in regard to adjournment.

The Speaker, resuming the chair, bid farewell to the Senators in a few appropriate remarks, and declared the Senate adjourned without day.

C. S. WINSTEAD,
Speaker.

Jos. A. Engelhard,
Clerk.

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JOURNAL

OF THE

HOUSE OF COMMONS,

AT ITS

Special Session of 1866.

THURSDAY, JAN. 18, 1866.

In pursuance of the following Proclamation, to wit:

"A PROCLAMATION

By His Excellency, JONATHAN WORTH,
Governor of North Carolina:

Whereas, I, JONATHAN WORTH, Governor of North Carolina, with the concurrence and advice of the Council of State, do deem it absolutely necessary that the General Assembly of this State be convened before the time appointed for its meeting:

Now, therefore, I do issue this my Proclamation, notifying and requesting the members of the General Assembly of North Carolina to meet in special session, at the Capitol, in the City of Raleigh, on Thursday, the 18th day of this month.

Given under my hand, and attested by the great seal of the State, at office in Raleigh, this the 3rd day of
[L. S.] January, A. D., 1866, and in the year of our Independence the ninetieth.

[Signed,] JONATHAN WORTH.

By the Governor,
[Signed,] W. H. BAGLEY, *Priv. Sec'y*

The House of Commons, at the hour of 12 M., was called to order by the Speaker.

Richard S. Donnell, one of the members elect for the county of Beaufort, appeared, produced his credentials, was qualified and took his seat.

It appearing that there was not a quorum of the whole number of members present,

The House, on motion of Mr. Waugh, adjourned until to-morrow morning, 11 o'clock.

FRIDAY, JANUARY 19, 1866.

A quorum of members being present.

On motion of Mr. Waugh, a message was ordered to be sent to the Senate, announcing the due organization of the House and its readiness to proceed to the transaction of public business.

The Speaker announced the resignation of L. Q. Sharpe, one of the members of this House, from the county of Iredell.

The resignation was accepted, and the Speaker directed to issue a writ of election, to supply the vacancy, for Thursday, February 1st, 1866.

Received a message from the Senate, announcing the organization of that body, and its readiness to proceed with the public business.

Also, a message asking the concurrence of the House in a proposition to appoint a Joint Committee, to consist of one member, on the part of the Senate, and two members, on the part of the House, to wait upon his Excellency, the Governor, and inform him of the organization of the two Houses, and their readiness to receive any communication he may have to make.

Which was concurred in, and Messrs. McKay and Jenkins,

of Warren, were appointed as the House branch of the committee.

Mr. Dargan offered a resolution, directing the Committee on the Judiciary to inquire into the expediency of passing a Stay Law for the relief of the people; which was not adopted.

Mr. McDonald offered the following resolution, which, on motion of Mr. Waugh, was laid upon the table, viz:

Resolved, That all Justices of the Peace, who held their commissions on the 20th May, 1861, be, and they are hereby re-appointed, each for his respective county; and this resolution shall not be so construed as to preclude the appointment of such others as to this General Assembly may seem proper.

Mr. Manly introduced resolutions in behalf of the disabled soldiers of the State; which, under a suspension of the rules, passed their several readings, and were ordered to be engrossed and sent to the Senate.

Mr. Hutchison offered the following resolution:

Resolved, That a message be sent to the Senate, proposing to set apart the hour of twelve, to-morrow, for the appointment of Justices of the Peace.

Which was adopted, and the message sent accordingly.

Mr. McKay, from the committee appointed to wait upon his Excellency, the Governor, reported that the Governor would communicate with the two Houses immediately.

Received from his Excellency, Gov. Worth, by his Private Secretary, Mr. W. H. Bagley, the following communication, which, being read.

Mr. Jenkins, of Warren, moved that the same be transmitted to the Senate, with the documents accompanying, and with a proposition to print fifty copies for each member.

Mr. Waugh moved to amend, by substituting "ten" copies in lieu of "fifty"; which motion did not prevail.

The original motion was then adopted.

STATE OF NORTH-CAROLINA, EXECUTIVE DEPARTMENT.
Raleigh, January 18th, 1866.

To the Honorable,
The General Assembly of North-Carolina:

GENTLEMEN:—Being notified by a dispatch from the President of the United States, of the discontinuance of the Provisional Government, Governor Holden turned over to me, on the 28th December last, the great seal of the State and other State effects in the Capitol, and I entered upon the discharge of my duties as Civil Governor.

NO CIVIL OFFICERS IN THE STATE.

I entertained the opinion, in which I was sustained by legal gentlemen whom I consulted, that under a proper construction of the 6th section of the ordinance of the Convention, ratified on the 18th day of October last, the powers of Justices of the Peace, and of all other officers appointed by the Provisional Governor, were determined by the discontinuance of the Provisional Government. This section of the ordinance is in the following words: "All the acts and deeds of the Provisional Governor of the State, appointed by the President of the United States, and likewise all the acts of any officer or agent by him appointed, or under his authority, done, or which may be done in pursuance of the authority, conferred on such officer or agent, are hereby ratified and declared to be valid to all intents and purposes: *Provided, nevertheless,* That so far as it may be competent for this Convention to declare the same, all appointments made, and all offices and places created, by or under the authority of the Provisional Governor, shall cease at the close of the first session of the next General Assembly, or at such other time as that Assem-

bly shall direct successors in such appointments or offices to be chosen or to be qualified, subject, however, to the provisions of the Revised Code, chapter seventy-seven, section three: *Provided, however*, That in all cases of appointments made by him of directors in any corporation, they shall continue until the regular election of its officers."

CONVENING OF THE LEGISLATURE.

Believing it absolutely necessary that the General Assembly should be convened at an earlier day than that to which it had adjourned, I summoned the Executive Council to meet here on the third day of this month, when a *quorum* attended, and with their advice, I issued my proclamation in conformity with which you are now assembled.

SHERIFFS AND CLERKS.

It may be that a proper construction of the ordinance referred to continued in office the Sheriffs and Clerks of the Courts until the qualification of their successors; but it is clear that the powers of the Provisional Justices of the Peace, and the municipal officers of corporate towns, ceased with the Provisional Government.

SOME JUSTICES OF THE PEACE HOLD OVER.

I hear that in some counties there are Justices of the Peace who were commissioned and qualified before the 20th May, 1861, who have not resigned, or taken the oath to support the Constitution of the Confederate States; and I presume it will be held that the offices of such Justices were not vacated by the ordinance ratified 19th of October last, entitled "An Ordinance declaring vacant all the offices of the State in existence on the 26th day of April, 1865."

APPOINTMENT OF JUSTICES.

The appointment of Justices of the Peace demands your earliest attention. It is a very important office, and great care should be taken that it be conferred only on intelligent and virtuous men. Our Constitution has entrusted this duty to the General Assembly under the idea that the merits of the appointee would be duly weighed. A practice, however, has long prevailed by which the selection of the Justices of each county is in effect made by the representatives of such county. The nominations made by them are usually confirmed without inquiry as to the fitness of the appointees, or the number needed in such county; hence, many have been appointed to effect local or party objects, whereby many ignorant and bad men have been made Justices of the Peace; and the tenure of the office being during good behavior, the mischief of a bad appointment is not easily remedied. In most of the counties there were greatly too many of them. From these causes the office has lost much of the dignity which ought to belong to it. An opportunity is now offered to profit by the errors of the past. The evil, both as to the number and quality of these officers, is so universally felt, that the Convention has under consideration, and will probably adopt, at its next session, an amendment limiting the numbers to be appointed in each county, possibly altering the mode of appointment. I, therefore, respectfully recommend that only a very small number be appointed at the present session. These should be properly distributed over the county.

PROVISIONAL JUSTICES AND SHERIFFS TO HOLD ON TEMPORARILY.

If it be deemed doubtful whether the Provisional Sheriffs and Clerks of the Courts retain their authority until the qualification of their successors, I recommend that they be continued in office by an act to be passed by you to enable them to

qualify the Justices of the Peace to be appointed by you, as all other duties pertaining to their offices.

SPECIAL TERMS OF THE COUNTY COURT.

In some of the counties it will be necessary that special terms of the County Court be held to qualify the newly elected Clerks and Sheriffs, to provide jurors for the next courts, and to transact any other county business, which they may think requires immediate action.

GOVERNOR AUTHORIZED TO SECURE AGENTS FOR THE PROMPT ORGANIZATION OF THE COURTS.

I further recommend that so soon as you shall have appointed Justices of the Peace and passed such acts as you may deem necessary to remedy the irregularities to which I have referred, the Governor be forthwith required to issue commissions to the Justices appointed, and an order to the Sheriff of each county, commanding him to notify each of the said Justices of his appointment, and requesting them to assemble at their respective Court Houses at an early day to be designated by the sheriff, in order to be qualified; on which day they may, if they choose, hold the special term of the County Court. A copy of such act or acts as you may designate, should be printed and sent to each of said Justices by the Sheriff at the time of notifying them of their appointment; and the Governor should be empowered to employ such agency for the expeditious transmission of said commissions and order to the Sheriffs and copies of said acts, as he may deem best, with power to draw on the Public Treasurer to pay the expenses.

INCORPORATED TOWNS.

As elections have probably been held in many of the incorporated towns, not in conformity with their charters; and

many acts have been done since the 28th day of December last, or may be done by the late officers and agents of the Provisional Government before their successors shall be qualified, I recommend that such elections be declared valid, and such acts declared as lawful as they would have been if done before the discontinuance of the Provisional Government.

WRITS OF ELECTION FOR SAMPSON AND BEAUFORT.

Having been notified by the Sheriff of Sampson, that Thomas I. Faison, Senator of this General Assembly from said county, and a member of the State Convention from said county, departed this life since your adjournment, I have issued writs of election to said county, appointing the 27th day of this month for the holding of an election to fill such vacancies. The 16th section of chapter 52, Revised Code, requires the Governor to issue a writ of election to fill a vacancy occurring *before* the meeting of the General Assembly. I have had doubt as to my power to issue such writ to fill a vacancy occurring *between* the sessions of the same General Assembly; but I conceive the intent of the statute was that the Governor should exercise this power when the General Assembly, not being in session, could not order the filling of the vacancy. I construe "before" to have reference to the meeting of the Assembly at its next meeting.

I have also sent a writ of election to the Sheriff of Beaufort to hold an election on the 30th instant, to fill the vacancy occasioned in the 12th Senatorial district by the resignation of Edward J. Warren, filed in my office on the 13th instant.

ATTORNEY GENERAL.

The many embarrassing questions of law growing out of the transition from war to peace, and from Provisional to partial Civil Government, make it necessary that there should be

a legal officer whom the Chief Executive officers of the State should have a right to consult on doubtful questions of law pertaining to their official duties. It has long been the practice to call on the Attorney General for such opinions, but we have no law requiring him to give such opinions, or to compensate him for this service. In every other State of the Union, I believe, the Attorney General is required to reside at the Capitol, and to give written opinions upon such questions of administrative duty as may be submitted to him by the Chief Executive departments. It seems to me that this officer ought to have a fixed salary, and to be required to attend to all suits and indictments pending in the Supreme Court, and to such important suits in which the State may be interested, pending in other courts of the State, as the Governor may require, and that he should not be required to ride a circuit as prosecuting Attorney. I recommend this matter to your consideration. It cannot be reasonably expected that he can bestow the requisite attention and take the responsibility of writing out opinions where it is not made his duty, nor any compensation provided for the service.

REVISAL OF THE LAWS PASSED DURING THE WAR RECOMMENDED.

I apprehend that very great difficulty will arise in applying to many acts passed since the 20th May, 1861, the provisions of the ordinance ratified 18th October last, declaring what laws and ordinances are in force. This ordinance declares that such of said laws are in force as "were compatible with the allegiance of the citizens of the State to the government of the United States, and not since repealed or modified, where the same are consistent with the Constitution of the State and of the United States." This ordinance has this important proviso to which I call your special attention: "*Provided, however*, That nothing herein contained shall be so construed as to prevent the General Assembly from repealing or modi-

fying any of said laws and ordinances hereby ratified, which shall not form a part of the Constitution of the State." I think very many of these laws enacted in reference to the deranged state of the currency, and adapted to a state of war, which are left in force under this ordinance, ought to be repealed. I recommend that all laws, passed shortly before and during the war, be carefully reviewed, and such of them, or such parts of them, repealed, by a distinct reference to them, as shall be deemed unsuited to our present condition, as well as those deemed incompatible with our allegiance and in conflict with the Constitution of the State and of the United States. Doubts as to what is, and is not in force, should be removed as far as possible.

MILITIA.

There are probably many acts passed, during and immediately preceding the war, relating to the militia, which, upon their face, may not be unconstitutional or incompatible with allegiance, which ought now to be repealed or modified. It is to be hoped that the period is not distant when the United States will perceive that we are satisfied that we have had enough of war, and that we are as ready as any people can be to perform all our duties to the national government. When this shall occur, it is to be hoped that civil government will be fully restored to us. It is important now that our militia laws be revised and consolidated, and an intelligible and judicious militia code adopted, under which the militia may be organized and put in condition to perform its appropriate part in the government, both Federal and State.

BANKING.

The large amount of money which the University and Board of Literature have in the two principal banks, and the invest-

ments held by our citizens in all of them, (including very many widows and orphans) and the great want of a circulating medium, seem to demand of me some suggestion on these subjects. I make them with much diffidence, having never been interested in any banking institution, and not having made the subject a matter of much consideration. The United States has adopted a system of national banking, looking to a uniform currency throughout the United States. It is our duty to conform to this policy.

The fortunes of our capitalists have been swept away. How are we to raise the means of establishing national banks?

AMENDMENTS TO THE CHARTERS OF THE BANKS AND RAILROADS.

By a proper amendment of the charters of our banks and railroad companies, I hope it may be done. Several of our railroads, in which the State holds large stock, are in a sound condition. Some of them owe little or nothing.

REPORTS OF BANK OFFICERS.

The reports of the banks, which were procured under the orders of the Provisional Governor, and have been printed and laid before you, show, in round numbers, that these banks have a little above $800,000 of specie—and that they owe to the holders of their notes and to depositors about $8,500,000, and that there is due to them for discounts before the war about $3,000,000, and for discounts since the war about $3,000,000.

If the banks are forced to make an assignment, and go into a general liquidation, in order to make an equitable *pro rata* distribution of their assets among all their creditors, (which must be the case, if nothing be done by you,) the note-holders and depositors would receive about ten cents in the dollar in specie, and such further dividend as collections

from their debtors might enable them to make. Unless money becomes more abundant in the State, it is manifest that little can be expected from these collections.

NATIONAL BANKS.

This specie is now locked up, yielding no benefit to anybody. I suggest that, by an amendment to their charters, these banks and railroad companies be allowed to subscribe for stock in a national bank. With the specie in possession of the banks, and resources at the command of the other corporations, with such subscriptions on the part of individuals as might be expected, bonds of the United States might be bought to an amount sufficient to form the basis of a national bank. The dividends declared in favor of the banks should be paid over to them, and by them should be paid out, together with the collections they may make, to their creditors.

The benefits proposed by this scheme are:—

1. The making of the specie in the banks, now lying dormant, produce the interest which would accrue on the United States bonds in which it would be invested.

2. The enabling of the solvent debtors to our banks to borrow money from the new bank and pay off their notes to the present banks, whereby many of them would be saved from ruin, and at the same time afford a larger dividend to the present creditors of the banks.

3. The extension of aid to our people by supplying a circulating medium so essential to the restoring of their shattered fortunes.

4. The furnishing a safe depository for the funds of the State and individuals.

5. The securing to the creditors of the banks a much larger dividend than they will get, if the banks be forced into immediate liquidation.

6. A hope, that by good management in some of the banks,

some of the stock might be saved to the stockholders, including the University and the Literary Fund.

If there be not some insuperable obstacle in the way, which I do not perceive, then this plan offers a reasonable prospect to help a suffering people, to aid in the revival of prosperity, bring in taxes to the State, help the debtors to the old banks to pay their debts, increase the assets to the same, and thereby save money to their creditors, furnish a safe fiscal agent to the State and save a portion of the stock, and rescue from ruin the University and Common Schools.

In the short time since I entered upon the discharge of my duties, surrounded with the innumerable difficulties attending the newly organized government, it has been impossible for me to call for aid from bankers and skillful financiers, which their experience would have afforded in projecting the plans best suited to our extraordinary condition; but I have felt it my duty to make such crude suggestions as I hope may be of some service in arriving at just conclusions.

THE STATE DEBT.

My report as late Treasurer, submitted to the Convention in October last, shows that the bonded debt of the State, created under acts passed prior to the war, is $11,119,500
The estimated amount of unpaid coupons on these bonds was then 2,500,000
Interest which will accrue on this debt up to October 1st, 1866. 817,000

$14,436,500

To pay the interest on our State debt, and the other indispensable expenses of the State, she will require at least one million of dollars each year. This would require a tax nearly twice as great as we ever paid before the war, when our tax-

able property was worth about three times as much as it is now.

The war has annihilated, probably, two-thirds of our wealth. In addition to our State taxes, the land tax we are required to pay this year to the government of the United States is upwards of $500,000, besides other direct taxes to the United States, the amount of which I have no means of estimating.

Before the war we had solvent banks with a capital exceeding $8,000,000, and a circulation of about the same amount. This capital is lost, and the currency, probably, worth less than $1,500,000.

We have now almost no banking facilities—and owing to the presence of devastating armies, the derangement of labor by the emancipation of our slaves, in the midst of the planting season, we made last year almost nothing for market. Owing to these causes, it is manifest that a tax this year to meet the accruing interest on our State debt would be ruinous to our people, and consequently injurious to our creditors.

In view of the large amount we must contribute to the national government, the derangement of labor, and the want of banks, affording facilities to men of enterprise to employ and pay liberal wages to laborers, even if Providence favor us with good seasons, we can scarcely hope to be able, for some time to come, to meet our obligations punctually.

An honest debtor who cannot punctually cash accounts against him, is always willing to give his note. As we can not pay our bonds and the coupons now due, and falling due this year, we ought to sell our bonds at par, if we can, to raise the means of payment; or allow our creditors to accept them at par; or make such other arrangement with them as shall seem most beneficial to them, and least detrimental to us.

STATE STOCK IN OUR RAILROADS.

Our only resource, other than taxation, to meet our debt, is stock in our railroads to the amount of $6,516,500, and bonds

on certain other railroads, (secured by mortgage,) with which the State has exchanged her bonds, to the amount of about $3,000,000. It is supposed that many of the holders of our State bonds would exchange them for a like amount of these stocks. Far the larger portion of our State debt is due to non-residents of the State. If such exchange were made, to the extent of giving the control of our Roads to non-residents, it might result in oppressive rates of freight or other regulations detrimental to the State. Properly guarded, I favor such exchange.

BONDS TO BE ISSUED.

Another plan suggested, supposed to be acceptable to the holders of our bonds, looking to the furnishing of a currency as well as the making of our State debt manageable, is the issue of small bonds, payable to bearer, and bearing a low rate of interest, say one *per cent.*, and receivable in payment of all dues to or from the State. As the credit of these bonds would rest on the faith of the State, as that of the present national currency depends on the faith of the nation; and as there would be much demand for them to pay taxes, and in view of the uncertainty when the State may be able to resume the payment of interest on her present bonds, the advocates of this scheme believe that the holders of the large bonds would deem it their interest, and would exchange for these smaller bonds—especially if allowed to take a part of the amount in railroad stocks.

It is objected to this scheme that it would violate the provision in the constitution of the United States which forbids a State to emit bills of credit. The advocates of this plan insist that it has always been conceded that States might, constitutionally, issue bonds payable to bearer, and transferable, by delivery, with no restriction as to the *amount* of the bond, or the *rate of interest*. I give the outlines of this plan, as I understand it, to call attention to it.

The pressure of other duties has not allowed me time to give to this, and other plans, which have been presented in relation to the payment of the State debt and a supply of currency, sufficient consideration to conduct me to a satisfactory conclusion, and I, therefore, abstain from submitting any distinct recommendation as to either.

In presenting the foregoing views of our affairs, I must not be understood as despondent. To overcome our difficulties, it is necessary to face them—and not to shut our eyes on them. We still have large resources. We must rely chiefly on virtue, persevering industry, and frugality, which are the true sources of national prosperity. We must attract capital by calling attention to our fertile lands, rich mines of coal, iron, gold, silver and copper, and water power for manufacturing.

We must protect and encourage the laborer. Honest industry must be held in esteem, and indolence regarded as disreputable, and the vagrant punished. By these means our Rail Road stocks will be made productive, and taxation thus reduced. I need not warn this generation to avoid war.

EDUCATION.

Our University and Public Schools, institutions which the Constitution wisely enjoins it on us to sustain, have felt the blighting effects of war. I herewith submit the report of the able and indefatigable Superintendent of Public Schools. He has discussed the subject so fully that I need only commend it to your careful consideration. During the past five years, education has been sadly neglected. Whatever may be our pecuniary distresses, our youth must be educated. We *must* sustain our institutions of learning.

SWAMP LANDS.

I deem the swamp lands the most valuable resource now left to the Board of Literature. They are empowered to sell

any part of these lands, which may be reclaimed. Large amounts have been spent in their drainage. By the report of Gov. Morehead, as President of the Board of Literature, dated the 4th of December, 1844, there had been expended prior to that date, as follows:

For Alligator Canal,	$63,799 59
For Pungo Canal,	35,316 55
For tributaries to Pungo Canal,	23,576 00
For tributaries to Alligator Canal,	29,688 77
Total,	152,380 91

Little, if any, of these lands has been sold. The reports of surveys made by the Literary Board, more than twenty years ago, show that there is a million of acres of these lands capable of being reclaimed at small expense. From the report of Professor Emmons and others, many of them are equal in fertility to any lands in the world. It is unaccountable why they have been so long neglected. I recommend an inquiry whether any other legislation be necessary to enable the Literary Board to make them available. From the hasty examination I have been able to give to the subject, I think the Board cannot sell them before being reclaimed. I recommend that they be empowered to sell them before reclaiming.

RESTORATION OF THE COURTS.

It is believed that all the Judges of the Supreme and Superior Courts, elected at your late session, have qualified, and when you shall have appointed Justices of the Peace, and the County Courts are restored, the machinery of civil government will be about complete. It is high time. Crime, particularly larceny, is too common, and the long want of any power to enforce the performance of any species of contract,

has had a most pernicious effect on the public morals, and the welfare of the State.

As our laws make the testimony of a negro competent in all pleas of the State where the defendant may be a negro, I am informed by the Military Commandant of the State, if the punishment prescribed by law for the offence with which the the defendant is charged, be the same whether the defendant be a white man or a black, there will be no interference with our criminal courts. I hope, after you shall have reformed our laws relating to freedmen, the jurisdiction of our courts will be fully restored; but the courts will be comparatively inefficient while the Act passed in 1861 shall remain in force, entitled "An Act to change the jurisdiction of the Courts and the rules of pleading therein."

I recommend that this Act be repealed; and that you pass a stay law for the benefit of debtors, if you can devise a constitutional mode of effecting the object.

AGRICULTURAL COLLEGE.

By act of Congress, ratified July 2nd, 1862, an amount of public land was devoted to each State equal to thirty thousand acres for each Senator and Representative in Congress, the proceeds of the sale of which are to be invested for the endowment, support and maintenance of at least one college, where the leading objects shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to Agriculture and the Mechanic Arts, in such manner as the Legislatures of the States may prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life.

The conditions of the grant are not such, in my judgment, as should prevent its acceptance by the General Assembly, as the objects to be accomplished are of the highest importance.

I respectfully recommend that acceptance of the same be signified at an early day.

By an amendment to the act, approved on the 14th of April, 1864, the time limited for the acceptance of the donation will expire on the 14th of April, 1866.

FREEDMEN'S BUREAU.

The condition of society produced by the sudden emancipation of the black race, in numbers over one-third of the entire population of the State, and the exemption of this class from the operation of our laws, civil and criminal, except as administered by a military tribunal, instituted by the government of the United States, and also claiming and exercising jurisdiction over all white citizens in matters criminal and civil, wherever blacks may be concerned, is at once anomalous and inconsistent with the ancient constitutional authority of the several States. This tribunal, known as the Bureau of Freedmen, was established during the late unhappy war for "the supervision and management of all abandoned lands and the control of all subjects relating to refugees and freedmen from rebel States or from any district within the operations of the army, under such rules and regulations as might be prescribed by the head of the Bureau, and approved by the President," and was "directed to continue during the war of the rebellion and for one year thereafter."

Its authority is derived from that clause of the Constitution which authorizes Congress "to adopt measures to suppress insurrections," and ceases when that end shall have been attained. It was obviously designed to be temporary in duration, and its continuance, after the designated period, could only be justified on the plea of affording necessary protection to freedmen in their novel situation, until proper provision should be made for this object by the State government.

The extinguishment of slavery by an ordinance of the Con-

vention of this State, the double security of the ratification by the Legislature of an amendment to the Constitution of the United States to the same effect, and the general acquiescence of the people, should remove all apprehension of any endeavor to re-establish it, or to treat with oppression or injustice the liberated African. The imputation of such purpose to the State, would be alike unjust to her plighted faith and uniform character. Such rights as were accorded to the free colored people of North Carolina (and they were neither meagre nor unimportant) were ever most scrupulously observed and maintained. For ages it has been a capital and most ignominious offence to kidnap, or deport, or to endeavor to enslave a person of African descent who was free. Whenever one, held as a slave, laid claim to freedom, he could find counsel to investigate his cause, and, if well founded, to maintain it; and judges who subjected the opposing party to such rules as secured a fair and impartial trial. In all criminal accusations tried by jury, he was allowed the right of challenge and other safeguards of the common law. Property was acquired and held by them with all the privileges of transfer, devise and descent, and the courts of justice were open to their complaints, with all the modes of relief to property or persons that were allowable to white men. All these became the rights of the freedman by the mere fact of emancipation.

To secure him still further in his privileges, as well as to protect society in the sudden and violent change effected by this measure, a commission was organized under an ordinance of the Convention to review our Code touching this race, and consider and propose such amendatory provisions as may be demanded by the occasion. Whether all the regulations desired to effect the object in view are to be attained without an amendment to the constitution, and whether the labors of the Commission may not be partially delayed until the coming session of that body, I am not advised. To the enlightened

labors of this Commission, when their report shall be received, I need not solicit your attention.

While social equality with the whites (which prevails no where in the United States, notwithstanding pretences to the contrary in some quarters and among some persons,) is not to be expected, nor is the elective franchise, I am fully warranted in saying, there is no disposition to deny to them any of the essential rights of civil or religious freedom in this State: on the contrary, every day's observation makes it manifest that restraining measures are necessary to prevent pauperism, vagrancy, idleness, and their consequent crimes, in the new phase which our social system presents. And it is important to the safety, peace and welfare of society, that the conflicts of systems of law and administration,—the one for the white and the other for the colored man—(the latter, however, drawing into its jurisdiction every transaction in which a black may be involved,) shall cease among us; and that the great interests of rights, wrongs, and remedies, may be committed to judges and juries of the vicinage, according to ancient English and American usage. It is hoped, therefore, that the President and Congress of the United States may order, as early as possible, the withdrawal from our limits of the Bureau of Freedmen; at least, that these authorities of the government will not provide for its extension beyond its present limits of one year from the close of the war in this State. Independently of the question of power to maintain such an institution in time of peace, it is difficult to conceive how justice can be executed, and a decent respect for the judiciary be maintained, with such a conflict of authority as must, of necessity, exist, with a military tribunal of concurrent jurisdiction, not composed of men learned in the law, or responsible to the people of the State for their administration of it. The right to appoint judges to administer the municipal laws, is as well established an attribute of state of the American Union as the power to determine whether murder,

arson, robbery, or burglary shall be crimes; and the oath of a judge, handed down to us from ancient times, that "I (he) will do equal law and right to all persons, rich and poor, without having regard to any person;" and that "I will not delay any person of common right by reason of any letter or command from any persons in authority to me directed, or for any other cause whatsoever; and in case any letter or orders come to me contrary to law, I will proceed to enforce the law, such letters or orders notwithstanding," requires him, as he shall answer to the State he serves, to deal out the justice established by law, without regard to any persons, or commands from any other authority. But by the regulations now, or lately, in operation, if there be two persons charged with crime—robbery, for example—the one from the person of a white man, the other from a black, the judge of the Superior Court for the county, where the offences were committed, may and must try the first according to the course of the common law; but the other, he must, notwithstanding his oath of office, deliver over, on a military order, to the Freedmen's Bureau, to be tried by a military commission, although he should claim his deliverance at the hands of the jury of his country. I am fully pursuaded that in such a contest, the Supreme Court of the United States would sustain the judges of the State in the jurisdiction they would be obliged to assert,—but I deprecate controversy, even in the forum, between authorities of the government, and hopefully trust that the President and Congress will remove the grounds of dispute by remitting the State judiciary to its appropriate functions. I make these observations with very great deference to the distinguished and benevolent officer at the head of the Bureau of Freedmen, and with the best wishes for the advancement and happiness of this portion of our population; but confusion, idleness, vice, crime and jealousy, and irritation between the two races, are consequences of the existing order of things, and the safety and welfare of society require reformation.

I was one of those who believed that the late disastrous war ought never to have occurred. I believe it never would have occurred if the masses of the people in the two sections could have met in council, and freely interchanged opinions and information. I am satisfied now that the jealousy, hatred and distrust engendered by the struggle, prevail among politicians with far more intensity than among the citizens, including the late soldiers in either section. It concerns the Republic that there shall be an end of strife. Confidence must begin somewhere. The war actually ceased with the surrender of the Southern armies nine months ago. This event was immediately followed by the liberation of all slaves, a measure which, *eo instanti*, that it was accomplished, annihilated two thousand millions in value of property, and impoverished thousands upon thousands of families bred in affluence, and accustomed to luxury. Yet, not this extraordinary spoliation, nor the indiscriminate devastations of homes and plantations of unexampled extent, entailing ruin upon millions of inhabitants, has produced the slightest show of opposition to the authority of the government. The President, in a late message in which he but concurs in the assertion of the General-in-Chief of the army, after extensive personal observation from the eminent position he occupies, announces that all resistance on the part of the States and individuals lately in rebellion had ceased: that the laws of the United States are enforced and obeyed every where in the South: and it would seem we had reached that point of progress when distrust should yield to confidence; aversion to a spirit of harmony, if not cordiality. Among the laws in operation are those for the collection of Revenue of the United States, and the collectors are making collections in various districts of the State. Although it seems to have been recognized as an axiom in American politics that representation and taxation were inseparable, yet I regret to state that no Senator or Representative has been admitted into the halls of Congress from

this State. The passions aroused in revolutions do not at once subside, but the sober sense of the American people will not brook the violation of great principles of government.

I pray God that a returning sense of patriotism and justice will, ere long, correct the prejudice of the time, and carry out the wise system so successfully begun and perfected by the President, (so far as depended on Executive authority) for the restoration of the States to a constitutional and harmonious Union, and that He will inspire all of us with the wisdom and the disposition to do right.

JONATHAN WORTH.

The Speaker laid before the House the report of the Public Treasurer; which, on motion of Mr. Hutchison, was ordered to be sent to the Senate, with a proposition to print five copies for the use of each member.

The following bills were introduced, and severally disposed of as stated, viz:

By Mr. Hutchison: A bill to prohibit, for a limited time, the distillation of spirituous liquors from grain. Made the special order of the day for Monday, Jan. 22d, 12 o'clock.

By Mr. Dargan: A bill to legalize the proceedings of the Courts of Pleas and Quarter Sessions of this State. Referred to the Committee on the Judiciary.

By Mr. McAden: A bill for the more complete organization of the State Government, and for other purposes. Ordered to be printed and referred to the Committee on the Judiciary.

By Mr. Beasley: A bill to legalize the official acts of Justices of the Peace in the county of Johnston. Judiciary.

By the same: A bill to admit the evidence of persons of color in Courts of Justice. Same reference.

By Mr. Faircloth, of Wayne: A bill to authorize the holding an election for Commissioners of the town of Goldsboro', and for other purposes. Under a suspension of the rules, passed its several readings, and ordered to be engrossed.

By Mr. Allison: A bill to authorize a Court of Pleas and Quarter Sessions for the county of Cabarrus. Referred to Committee on Judiciary.

By Mr. Marler: A bill to legalize the election of Mayor and Commissioners for the town of Morganton. Same reference.

By Mr. Dargan: A bill to give certain fees to Justices of the Peace. Referred to Committee on Salaries and Fees.

By Mr. Everett: A bill to legalize the election of Commissioners for the town of Goldsboro'. Passed first reading.

Received from the Senate a message, concurring in the proposition to set apart to-morrow, 12 o'clock, for the appointment of magistrates.

Also, concurring in the proposition to print fifty copies of the Governor's message and accompanying documents, and five copies of the Treasurer's report, for each member of the two Houses of the General Assembly.

The Speaker announced Mr. Cameron as a member of the Judiciary Committee, to fill the vacancy occasioned by the resignation of Mr. Sharpe.

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

SATURDAY, JANUARY 20, 1866.

The following resolutions were introduced and adopted, to wit:

By Mr. Kenan: Instructing the Committee on Military Affairs to enquire into the propriety of amending the Militia Law, in order to effect a more complete organization of the Militia of the State:

By Mr. McIntosh: Instructing the Committee on Finance to enquire into the expediency of extending the time allowed by the Ordinance of the late Convention to sheriffs for collecting the tax imposed by that Ordinance;

By Mr. Wheeler: Directing a message to be sent to the Senate, asking its concurrence in a proposition to raise a Joint Select Committee, to consist of three, on the part of the House, and two, on the part of the Senate, to whom shall be referred so much of the Governor's message as relates to the donation of lands by the United States;

By Mr. McAden: Proposing to send a message to the Senate, asking the appointment of a Joint Select Committee, of two on the part of the Senate, and three on the part of the House, to whom shall be referred so much of the Governor's message as relates to Banks and Banking.

The following bills were introduced and disposed of as stated, to wit:

By Mr. Shaw: A bill to incorporate the Clarendon Bridge Company and vest certain powers therein. Referred to the Committee on Corporations.

By Mr. Craig: A bill to prevent obstructions in the Catawba river, in the county of McDowell. Filed.

By Mr. Moore, of Alamance: A bill to incorporate the town of Company Shops in the county of Alamance. Referred to the Committee on Corporations.

By Mr. Donnell: A bill to extend relief by injunction. Referred to Committee on Judiciary.

Mr. Waugh moved that a message be sent to the Senate, proposing to print fifty additional copies of the Governor's message, for the use of the Executive office; which was adopted.

Received a message from the Senate, asking the concurrence of the House in the following resolution, viz:

Resolved, That a Joint Select Committee of two from the Senate, and three from the House of Commons, be appointed to enquire into the necessity of refitting the residence provided for the Governor of North-Carolina, and report by bill or otherwise;

Which was concurred in, and Messrs. Dargan, Baxter and Allison announced as the House branch of said committee.

The bill, introduced on yesterday, to legalize the election of Commissioners in the town of Goldsboro', coming up on its second reading, was rejected.

On motion of Mr. Waugh, it was ordered that a message be sent to the Senate, proposing to rescind the joint order fixing the hour of twelve for the appointment of magistrates, and designating the hour of eleven instead thereof.

Mr. Rayner offered a resolution, providing for extra copies of the report of the Public Treasurer, which, under a suspension of the rules, passed its several readings, and was ordered to be engrossed.

Received a message from the Senate, agreeing to the proposition to print fifty extra copies of the Governor's message for the use of the Executive office.

Also, a message concurring in the proposition to change the hour for appointing magistrates from eleven to twelve o'clock.

The hour of eleven having arrived, the House proceeded to the execution of the joint order, to wit: the appointment of magistrates for the several counties in the State.

When the list of names for the county of Granville was read,

Mr. Jenkins, of Granville, moved to strike therefrom the name of L. A. Paschall; which motion did not prevail.

When the county of Randolph was called, Mr. Jenkins, of Warren, moved to strike from the list of persons nominated, the name of John C. Hill, and upon that motion demanded the yeas and nays.

The demand being sustained, the following members voted in the affirmative, viz:

Messrs. Allison, Arrington, Barnett, Blackmer, Boner, Burgess, Cameron, Cox, Dalby, Dargan, Everett, Foster, Gaines, Harper, Hoke, Hutchison, Hyman, Jenkins, of Warren, Joyner,

Judkins, Kenan, Lee, of Gates, Logan, Lucas, Luke, Manly, Marler, McAden, McEachern, McNair, Moore, of Alamance, Moore, of Martin, Murphy, Niven, Paschall, Thigpen, Whitley, Williams and Yellowley—39.

And the following in the negative, viz:

Messrs. Speaker, Ashworth, Beasley, Blythe, Caldwell, Candler, Coates, Craige, Davis, of Carteret, Donnell, Dunn, Faircloth, of Greene, Ferrell, Garland, Henry, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, McDonald, McGuire, McIntosh, Moore, of Chatham, Mott, Nicks, Newsum, Simmons, Stilley, Scoggin, Teague, Trull, Waugh, Wheeler and York—35.

So the name of Jno. C. Hill was stricken out.

When the list of names for the county of Wayne was presented,

Mr. Faircloth, of Wayne, moved the substitution of another list therefor; which was not agreed to.

Received a message from the Senate, concurring in the proposition to raise a Joint Select Committee, to whom shall be referred so much of the Governor's message as relates to donation of lands by the United States, and naming Messrs. Bynum and Morehead as the Senate branch of said committee.

The Speaker announced Messrs. Wheeler, Smith, of Hertford, and Hoke, as the committee on the part of the House.

Received a message from the Senate, concurring in the proposition to raise a Joint Select Committee, to whom shall be referred so much of the Governor's message as relates to banks and banking, and naming Messrs. A. J. Jones and Wilson as the Senate branch of said committee.

The Speaker announced Messrs. McAden, Thompson and Caldwell as the committee on the part of the House.

Mr. Dargan, by leave, introduced a bill to empower the Provisional Clerks of the County Courts to administer oaths

to the Justices of the Peace; which passed its first, and, under a suspension of the rules, its second reading; when

Mr. Holderby moved to amend by inserting, after the words "Provisional Clerks of the County Courts," the words "or their deputies"; which was not agreed to.

Mr. Hodnett moved to amend by adding the words "or the Clerks of the Superior Courts"; which was adopted.

Mr. McAden moved to lay the bill on the table. Not carried.

Mr. Cameron moved the following as an additional section, viz:

"*And be it further enacted*, That it shall be the duty of said Provisional Clerks to furnish the Sheriffs of their respective counties with the names of the Justices appointed for their counties at as early a day as practicable; whereupon, it shall be the duty of the said Sheriff, forthwith to notify said Justices of their appointments, and summon them to assemble at their respective Court Houses, for the purpose of being qualified and organizing the Courts of Pleas and Quarter Sessions."

Mr. Smith, of Columbus, moved to amend the amendment, by striking out the words "at as early a day as practicable," and inserting "at such time as he may appoint;" which motion did not prevail.

The amendment of Mr. Cameron was then adopted.

Mr. Hutchison moved further to amend the bill, by inserting, after the words "or Clerks of the Superior Courts," the words "until the organization of said County Courts, and thereafter as provided for by the Revised Code;" which was not adopted.

The bill, as amended, then passed its third reading, and was ordered to be engrossed.

Received a message from the Senate, transmitting the following engrossed bill, and asking the concurrence of the House therein, viz:

A bill to prevent horse-stealing; which was referred to the Committee on the Judiciary.

On motion of Mr. Barnett, the House adjourned until Monday morning, 10 o'clock.

MONDAY, JAN. 22, 1866.

Prayer by Rev. Mr. Atkinson.

The Speaker announced the following gentlemen as composing the Committee on enrolled bills for the week, viz: Messrs. Moore, of Martin, Dalby, McGuire, Matthews and Dunn.

The following bills were introduced and disposed of, as stated, to wit:

By Mr. Dunn: A bill to extend the time for collecting taxes. Passed its several readings, under a suspension of the rules, and ordered to be engrossed.

By Mr. Kenan: A bill to incorporate the "Ministers' Relief Society" for the Eastern Baptist Association. Under a suspension of the rules, passed its several readings and ordered to be engrossed.

By Mr. Jenkins, of Warren: A bill to amend Chapter 114, Revised Code, entitled "Usury." Referred to Committee on Judiciary.

By Mr. Manly: A bill to re-organize the Corporation Government of the City and also of the Academy of Newbern. Same reference.

Received a message from the Senate, transmitting sundry recommendations relative to Justices of the Peace; which were concurred in.

Also, a message announcing Messrs. Covington, Coward and Berry as the Senate branch of the Committee on enrolled bills for the week.

Mr. Hutchison moved to postpone the special order for 12

o'clock, viz: The bill to prevent, for a limited time, the distillation of spirituous liquors from grain, until to-morrow at 11 o'clock; which was agreed to.

Mr. Waugh moved a re-consideration of the action of the House, nominating Justices of the Peace for the county of Surry;

And Mr. Ashworth made a similar motion with reference to the county of Randolph;

Which were agreed to.

Mr. Russell submitted a list of magistrates for the county of Brunswick; which was approved and sent to the Senate for concurrence.

Mrs. Yellowley offered the following resolutions, which were unanimously adopted, viz:

Resolved, That this House learns, with deep concern, of the decease of Walter S. Hanrahan, a member of this body from the county of Pitt, and sincerely deplores an event that has cast, at such an early day of this session, the gloom of sorrow over its deliberations.

Resolved, That this House tenders its sympathies to the family of Mr. Hanrahan, and, as a mark of its respect to his memory, do now adjourn.

Whereupon, the House adjourned until to-morrow morning, 10 o'clock.

TUESDAY, JAN. 23, 1866.

Prayer by Rev. Mr. Cobb.

Mr. Webb, from the Committee on Military Affairs, to whom was referred, at the last session, a "Resolution requesting the Provisional Governor to supply the militia with arms and ammunition," reported the same back and asked to be discharged from its further consideration; which was ordered accordingly.

Mr. Manly, from the Committee on the Judiciary, to whom were referred

A bill for the more complete organization of the State Government, and for other purposes; and

A bill to re-organize the corporation government of the City, and also of the Academy, of Newbern;

Reported the same back to the House, with certain amendments, and recommended their passage.

Mr. Faircloth, of Wayne, offered a resolution directing that a message be sent to the Senate, proposing to raise a Joint Select Committee, to consist of two on the part of the Senate, and three on the part of the House, who shall be charged with the revision of all laws and ordinances passed by the different Legislatures and Conventions since Feb. —, 1861, and who shall suggest such repeals or modifications as to them shall seem proper; which was adopted.

Mr. Smith, of Hertford, introduced a resolution providing for "transcribing, indexing and re-binding the records of the office of Secretary of State;" which passed its first reading, and was referred to the Committee on Finance.

Mr. Teague offered a resolution, instructing the Judiciary Committee to examine the law and see whether, or not, further legislation is necessary for the protection of vine and fruit growing. Adopted.

The following bills were introduced and severally disposed of as stated, viz:

By Mr. Murrill: A bill to restore Jury trials, in criminal cases, to the Courts of Pleas and Quarter Sessions in Onslow county. Referred to the Committee on the Judiciary.

By Mr. Mott: A bill to enforce the execution of contracts. Same reference.

By Mr. Foster: A bill to incorporate the Portis Gold Mining Company. Referred to the Committee on Corporations.

By Mr. Houston: A bill to incorporate Dilwood Cemetery. Same reference.

By Mr. Waugh: A bill to repeal "An act to decrease the expenses of sheriffs' returns." Committee on Judiciary.

By Mr. Flythe: A bill to amend sec. 9, ch. 101, Revised Code, entitled "Roads, Ferries and Bridges." Committee on Propositions and Grievances.

By Mr. Burgess: A bill supplemental to an act, entitled "An act for the government of the town of Elizabeth City," &c., session of 1852–'3. Filed.

By Mr. Lucas: A bill to amend an act of 1862–'3, entitled "An act concerning Justices of the Peace. Placed on file.

Sundry recommendations for magistrates for a number of counties were submitted, approved, and sent to the Senate for concurrence.

The hour having arrived for the consideration of the special order, to wit: A bill to prevent, for a limited time, the distillation of spirituous liquors from grain, the same was taken up.

Mr. Jenkins, of Warren, moved to amend by inserting the "fifteenth of February" in lieu of the "first of February"; which was adopted.

The bill then passed its second reading; when Mr. Hutchison moved that the rules be suspended and the bill put upon its second reading, which was not agreed to.

Received a message from the Senate, asking the concurrence of the House in a proposition to raise a Joint Select Committee, to consist of two members on the part of the Senate, and four on the part of the House, to take into consideration and report whether the adjournment of the Legislature, on the 18th December last, constituted, in law, a close of the session, as contemplated by the sixth Ordinance of the Convention.

Which was concurred in, and Messrs. Rayner, Manly, Dargan and Blackmer announced as the Committee on the part of the House.

Received a message from the Senate, concurring in the House proposition to raise a Joint Select Committee to revise laws, ordinances, &c., passed since Feb., 1861, and announcing

Messrs. Morehead and Leitch as the Senate branch of said Committee.

The Speaker designated Messrs. Smith, of Hertford, Faircloth, of Wayne, and McKay, as the Committee on the part of the House.

Received a message from the Senate, transmitting an engrossed bill, entitled "A bill to declare Dan river a water course sufficient, instead of a lawful fence, in Caswell County," and asking the concurrence of the House therein.

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

Received a message from his Excellency, the Governor, communicating the report of the Treasurer of the University; which, on motion, was sent to the Senate, with a proposition to print the same.

Received a message from the Senate, transmitting recommendations for magistrates for the counties of Wayne, Perquimans, Onslow and Ashe,—in the last of which the House refused to concur.

Mr. Donnel submitted the report of the Commission, appointed under an Ordinance of the Convention to prepare a Code for the government of freedmen, accompanied by the following bills, to wit:

A bill concerning Negroes, Indians and persons of color or of mixed blood;

A bill to punish pursuing and injuring horses, and other live stock, with intent to steal them;

A bill to prevent wilful trespasses on lands, and stealing any kind of property therefrom;

A bill to punish vagrancy;

A bill to punish seditious language, insurrections and rebellions in the State;

A bill to prevent enticing servants from fulfilling their contracts, or harboring them;

A bill to secure to agricultural laborers their pay in kind;

A bill more effectually to secure the maintenance of bastard children, and the payment of fines and costs on conviction in criminal cases; and

A bill to establish work-houses or houses of correction in the several counties of the State;

All of which passed their first reading, and, together with the report, were ordered to be printed and referred to the Committee having charge of the subject of Freedmen.

The calendar was then taken up, and the following bills passed their second, and, under a suspension of the rules, their third, reading, and were ordered to be engrossed, to wit:

Bill to prevent obstructions in Catawba river, in the county of McDowell;

Bill for the more complete organization of the State government and for other purposes,—the amendments recommended by the Judiciary Committee having been first adopted; and

Bill to re-organize the corporation government of the City, and also of the Academy, of Newbern,—the amendment suggested by the Committee having been previously adopted.

Mr. Ashworth, by leave, introduced a resolution in favor of Justices of the Peace, who administered the amnesty oath; which, on motion of Mr. Dalby, was laid upon the table.

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

WEDNESDAY, JANUARY 24, 1866.

Leave of absence until Saturday next was granted to Mr. Faison.

Mr. Smith, from the Committee on Finance, to whom they were severally referred, reported back

A resolution in favor of Briggs & Dodd,—recommending its passage;

A resolution instructing said committee to inquire into the expediency of extending the time allowed Sheriffs to collect taxes under the ordinance of the Convention,—asking to be discharged from its further consideration, which was so ordered;

A resolution authorizing the appointment of a Joint Select Committee to report the propriety of directing the State Treasurer to sell all or any of the stocks and interest in the corporate stock of the State,—asking, for reasons stated, to be discharged from it further consideration; which was so ordered; and

A resolution appropriating $44,417 for the use and support of the Lunatic Asylum; asking its re-commitment to the Committee on the Lunatic Asylum, which was ordered accordingly.

Mr. Blackmer, from the Committee on Corporations, to whom they were referred, reported back the following bills, and recommended their passage, viz:

Bill to incorporate the Clarendon Bridge Company; and

Bill to incorporate the town of Company Shops.

Mr. Manly, from the Committee on the Judiciary, to whom they were severally referred, reported favorably upon the following:

Bill to amend chap. 114, Revised Code, entitled "Usury;" which, on motion of Mr. Cowan, was ordered to be printed;

Bill to legalize and confirm certain proceedings of the County Court of Cumberland;

Bill for the relief of all persons that may suffer from the destruction of records and other papers during the war,—with an amendment to strike out the words "so called," in the preamble;

And unfavorably upon the following:

Bill to revoke certain wills; and

Bill concerning advancements.

Mr. Jenkins, of Warren, offered the following resolution; which was adopted, viz:

Resolved, That the Committee on Finance be instructed to

enquire into the propriety and expediency of the sale of the stocks belonging to the State of North-Carolina, in the several works of Internal Improvement; and that they report by bill or otherwise.

Mr. Davis, of Carteret, introduced a bill to authorize the Justices of Carteret county to levy taxes for the support of the poor and for other county purposes; which, under a suspension of the rules, passed its several readings, and was ordered to be engrossed.

Sundry recommendations for magistrates for the counties of Duplin, Currituck, Nash, Harnett, Hyde and Chatham, were submitted, approved, and sent to the Senate for concurrence.

The calendar was then taken up, and the following bills coming up on their second reading, were disposed of as stated, to-wit:

Bill to amend the act of 1862–'3, concerning Justices of the Peace; which, on motion of Mr. Lucas, was laid upon the table.

Bill to incorporate the town of Company Shops. Passed.

Bill to incorporate the Clarendon Bridge Company. Under a suspension of the rules passed second and third readings, and ordered to be engrossed.

Bill to legalize and confirm certain proceedings of the County Court of Cumberland. Laid upon the table, on motion of Mr. Smith, of Cumberland.

Bill to revoke certain wills. Rejected.

Bill concerning advancements. Rejected.

Bill for the relief of all persons that may suffer from the destruction of records and other papers during the war. Amendment of the Judiciary Committee concurred in, and the bill ordered to be printed and made the special order for Monday, 29th inst., at 1 o'clock.

The bill "to prevent, for a limited time, the distillation of spiritous liquors from grain," coming up on its third reading,

Mr. Dargan moved to amend by striking out the fine of $200 and sixty days imprisonment, and inserting a penalty of $500.

Mr. Baxter moved to amend the amendment, by striking out, in sec. 1, all after the words "be fined," and insert, in lieu thereof, "in a sum not less than $300 nor more than $1,000, for each and every violation of this act;" which did not prevail.

The question recurring on the original amendment, it was rejected.

Mr. Cameron moved the following as an additional section, viz:

"*And be it further enacted*, That any person violating the provisions of this bill shall be liable to a penalty of $500, recoverable before any Court of competent jurisdiction,—the one-half to the use of the person suing for the same, and the other half to the use of thecounty wherein the offence shall be committed."

Mr. Lyon moved to lay the amendment upon the table; which motion did not prevail.

The amendment was then adopted.

Mr. Henry moved to amend the bill by striking out the words "rye, oats, barley and peas," after the words "corn and wheat;" which did not prevail.

Mr. McKay offered the following amendment: Strike out, after the word "imprisoned," the words "the fine not to be less than $500, and the imprisonment not to be less than 60 days," and insert "the fine not to exceed $500, and the imprisonment not to exceed 60 days,—one or both at the discretion of the Court;" and, also, strike out "and" and insert "or" in the 11th line of sec. 1.

Which was rejected—yeas 50, nays 54; the yeas and nays having been demanded by Mr. McKay.

Those who voted in the affirmative are:

Messrs. Ashworth, Barnett, Black, Burgess, Carson, Chadwick, Coates, Craige, Dargan, Davis, of Carteret, Davis, of

Halifax, Everett, Farrow, Foster, Furr, Gaines, Garland, Hamilton, Holderby, Hoke, Horton, Jenkins, of Gaston, Jenkins, of Granville, Jones, Joyner, Luke, Lyon, Marler, Matthews, McAden, McDonald, McEachern, McGuire, McKay, McNair, Moore, of Alamance, Moore, of Chatham, Murrill, Nicks, Paschall, Russell, Simmons, Smith, of Columbus, Smith, of Guilford, Smith, of Hertford, Scoggin, Trull, Waugh, Williams and York.

Those who voted in the negative are:

Messrs. Allison, Arrington, Baxter, Beasley, Blackmer, Blair, Blythe, Bonner, Burton, Caldwell, Cameron, Candler, Cowan, Cox, Crawford, Dalby, Faircloth, of Greene, Faircloth, of Wayne, Flythe, Gidney, Harper, Hawes, Henry, Hodnett, Houston, Hutchison, Hyman, Jenkins, of Warren, Judkins, Kenan, Kinney, Lee, of Gates, Logan, Manly, McIntosh, Melson, Moore, of Martin, Mott, Niven, Newsum, Page, Potter, Rayner, Rosebro', Shaw, Smith, of Cumberland, Stilley, Teague, Thigpen, Webb, Wheeler, Whitley, Wilson and Yellowley.

Mr. McAden moved the following as an additional section to the bill, viz:

"*Be it further enacted*, That nothing in this bill shall be so construed as to prevent a person from distilling the grain made on his own farm."

Which was rejected—yeas 43, nays 60; the yeas and nays having been demanded by Mr. McAden.

Those who voted in the affirmative are:

Messrs. Barnett, Black, Burgess, Carson, Coates, Craige, Dargan, Davis, of Halifax, Dunn, Farrow, Furr, Garland, Hamilton, Henry, Hoke, Horton, Jenkins, of Gaston, Jenkins, of Granville, Jones, Joyner, Luke, Lyon, Marler, Matthews, McAden, McDonald, McGuire, McKay, McNair, Moore, of Alamance, Murrill, Nicks, Paschall, Russell, Simmons, Smith, of Columbus, Smith, of Guilford, Scoggin, Teague, Trull, Waugh, Wheeler and York.

Those who voted in the negative are:

Messrs. Allison, Arrington, Ashworth, Baxter, Beasley, Blackmer, Blair, Blythe, Bonner, Burton, Caldwell, Cameron, Candler, Chadwick, Cowan, Cox, Crawford, Dalby, Faircloth, of Greene, Faircloth, of Wayne, Flythe, Foster, Gidney, Harper, Hawes, Hodnett, Holderby, Houston, Hutchison, Hyman, Jenkins, of Warren, Judkins, Kenan, Kinney, Lee, of Gates, Logan, Lucas, Manly, McEachern, McIntosh, Melson, Moore, of Chatham, Moore, of Martin, Mott, Niven, Newsum, Page, Potter, Rayner, Rosebro', Shaw, Smith, of Cumberland, Smith, of Hertford, Stilley, Thigpen, Webb, Whitley, Williams, Wilson and Yellowley.

Mr. Luke offered the following as a substitute for the bill: Strike out all after the enacting clause and insert:

"That no spirituous liquors shall be distilled from grain, in any county in the State, except upon license granted by a majority of Justices of said county, and, in case of any violation of this act, the parties so offending shall be imprisoned or fined not less than $1,000, at the discretion of the court.

Sec. 2. *Be it further enacted*, That this act shall be in force from and after its ratification."

Which was rejected,—yeas 34, nays 63; the yeas and nays being demanded by Mr. Jenkins, of Gaston.

Those who voted in the affirmative, are:

Messrs. Barnett, Carson, Coates, Craig, Dargan, Davis, of Halifax, Farrow, Furr, Hamilton, Hoke, Horton, Jenkins, of Gaston, Jenkins, of Granville, Jones, Joyner, Luke, Lyon, Marler, Matthews, McAden, McDonald, McGuire, Melson, Moore, of Alamance, Murrill, Nicks, Paschall, Simmons, Smith, of Columbus, Scoggin, Teague, Trull, Waugh and York.

Those who voted in the negative, are:

Messrs. Allison, Arrington, Ashworth, Baxter, Beasley, Blair, Blythe, Bonner, Burgess, Burton, Caldwell, Cameron, Candler, Chadwick, Cox, Crawford, Dalby, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Flythe, Foster, Gidney, Har-

per, Henry, Hodnett, Holderby, Houston, Hutchison, Hyman, Jenkins, of Warren, Judkins, Kenan, Kinney, Lee, of Gates, Lucas, Manly, McEachern, McIntosh, McKay, McNair, Moore, of Chatham, Moore, of Martin, Mott, Niven, Newsum, Page, Potter, Rayner, Rosebro', Russell, Shaw, Smith, of Cumberland, Smith, of Guilford, Smith, of Hertford, Stilley, Thigpen, Webb, Wheeler, Whitley, Williams, Wilson and Yellowley.

Mr. Jenkins, of Gaston, moved that the House do now adjourn; which was not agreed to.—yeas 14, nays 87.

Mr. Thigpen demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Barnett, Black, Carson, Dargan, Farrow, Furr, Hamilton, Jenkins, of Gaston, Marler, Moore, of Chatham, Paschall, Scoggin, Trull and Waugh.

Those who voted in the negative, are:

Messrs. Allison, Arrington, Ashworth, Baxter, Beasley, Blackmer, Blair, Blythe, Bonner, Burgess, Burton, Caldwell, Cameron, Candler, Chadwick, Coates, Cox, Craig, Crawford, Dalby, Davis, of Carteret, Davis, of Halifax, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Flythe, Foster, Gidney, Harper, Hawes, Henry, Hodnett, Holderby, Hoke, Horton, Houston, Hutchison, Hyman, Jenkins, of Granville, Jenkins, of Warren, Jones, Joyner, Judkins, Kenan, Kinney, Lee, of Gates, Logan, Lucas, Luke, Lyon, Manly, Matthews, McAden, McDonald, McEachern, McGuire, McIntosh, McKay, McNair, Melson, Moore, of Martin, Mott, Murrill, Niven, Nicks, Newsum, Page, Potter, Rayner, Rosebro', Russell, Shaw, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Smith, of Hertford, Stilley, Teague, Thigpen, Webb, Wheeler, Whitley, Williams, Wilson, Yellowley and York.

Mr. Marler offered the following amendment: "*Provided*, That the provisions of this act shall not apply to the counties in this State west of the county of Catawba;" which was not adopted.

Mr. Nicks moved to adjourn till to-morrow morning, 10 o'clock. Not carried.

Mr. Shaw offered the following as an additional section, viz:

"*Be it further enacted*, That the fines collected under this act shall be applied to the support of the poor of the county in which the offence has been committed."

Mr. Kenan moved to amend the amendment by inserting the word "white" before the word "poor;" which prevailed.

The amendment, as amended, was then adopted.

Mr. Smith, of Hertford, moved to amend by striking out all in section 2. after the words "so offending."

Mr. Lyon moved to adjourn until to-morrow morning, 10 o'clock. Lost.

Mr. Smith's amendment was then adopted.

Mr. McNair offered the following as an additional section, viz:

"*Be it further enacted*, That any persons hauling any of the articles mentioned in the first section of this act beyond the limits of the State, for the purpose of distilling the same, shall be deemed guilty of violating this act, and, upon conviction, shall be subject to the penalties of this act."

Which was adopted.

Mr. Craig moved to amend, by striking out "February 15th," wherever it occurs, and inserting "March 1st." Lost.

Mr. Thigpen moved to amend by inserting, after the word "peas," the words "Chinese sugar cane seed, sorghum or rice." Lost.

The question now recurring on the passage of the bill, as amended, it passed its third reading and was ordered to be engrossed,—yeas 63, nays 42.

Mr. Scoggin demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Allison, Arrington, Ashworth, Baxter, Beasley, Blackmer, Blair, Blythe, Bonner, Burton, Caldwell, Cameron, Candler, Chadwick, Cowan, Cox, Crawford, Dalby, Dunn, Everett, Faircloth, of Greene, Faircloth, of Wayne, Flythe,

Foster, Gaines, Harper, Harrison, Hawes, Henry, Hodnett, Holderby, Hoke, Hutchison, Hyman, Jenkins, of Warren, Judkins, Kenan, Kinney, Lee, of Gates, Lucas, Manly, McKay, McNair, Melson, Moore, of Chatham, Moore, of Martin, Mott, Niven, Newsum, Page, Potter, Rayner, Rosebro', Shaw, Smith, of Cumberland, Smith, of Hertford, Stilley, Thigpen, Webb, Whitley, Williams, Wilson and Yellowley.

Those who voted in the negative, are:

Messrs. Barnett, Black, Burgess, Carson, Coates, Craig, Dargan, Davis, of Carteret, Davis, of Halifax, Farrow, Furr, Garland, Gidney, Hamilton, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Joyner, Luke, Lyon, Marler, Matthews, McAden, McDonald, McGuire, McIntosh, Moore, of Alamance, Murrill, Nicks, Paschall, Russell, Simmons, Smith, of Columbus, Smith, of Guilford, Scoggin, Teague, Trull, Waugh, Wheeler and York.

On motion of Mr. Yellowley, the Speaker was directed to issue a writ of election for February 12, 1866, to supply the vacancy occasioned by the demise of Mr. Hanrahan.

Recommendations for magistrates for the counties of Bertie and Northampton were submitted, approved and sent to the Senate for concurrence.

Received a message from the Senate, announcing that the names of Jas. R. Lee and N. G. Thornton had been stricken from the list of magistrates for Cumberland county, and the names of Hector McMillan and J. C. Poe added thereto; in which action the House concurred.

Also, a message announcing Mr. Bullock as a member of the Joint Standing Committee on the Deaf, Dumb and the Blind, *vice* Mr. Warren, resigned.

Also, a message announcing Messrs. Wilson and Bynum as the Senate branch of the committee to consider whether the adjournment on the 18th ult. constituted the close of a session.

Also, transmitting an engrossed bill "to continue in office the Provisional Commissioners of Lincolnton, and other towns,"

and asking the concurrence of the House therein. Placed on file.

Received a message from his Excellency, the Governor, transmitting a petition from boat-owners and merchants of Wilmington; which was referred to the Committee on the Judiciary.

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

THURSDAY, JAN. 25, 1866.

Prayer by Rev. Dr. Mason.

Mr. Manly, from the Committee on the Judiciary, reported back the following bills, and asked to be discharged from the further consideration of the same; which was so ordered:

Bill to punish the stealing of stock;

Bill to admit the evidence of persons of color in Courts of Justice;

Bill concerning Justices of the Peace.

And unfavorably upon the following:

Bill to repeal "An act to decrease the expenses of Sheriffs' returns";

Bil to amend Chapter 12, Sec. 1, Revised Code.

And favorably upon the bill to legalize the election of Mayor and Commissioners of the town of Morganton.

Mr. Blackmer, from the Committee on Corporations, reported back, with the recommendation that they do pass:

Bill to incorporate Dilwood Cemetery; and

Bill to incorporate Portis Gold Mining Company, with an amendment.

Mr. Murrill, from the Committee on Propositions and Grievances, reported favorably, with an amendment, on

Bill to amend Chapter 101, Sec. 9, Revised Code, entitled "Roads, Ferries and Bridges."

The following bills were introduced:

By Mr. Joyner: Bill to incorporate the Weldon Enterprise and Loan Company. Referred to the Committee on Corporations.

By Mr. Wilson: Bill in favor of J. N. Benners, and others, of Haywood county. Judiciary.

By Mr. Russell: Bill to provide for the payment of the Federal land tax of 1861. Committee on Finance.

By Mr. Jenkins, of Granville: Bill for the benefit of the Public Schools of the State. Ordered to be printed and referred to the Committee on Education.

By Mr. Blackmer: Bill concerning the *per diem* and mileage of the Council of State. Under a suspension of the rules, passed its several readings and ordered to be engrossed.

By Mr. Davis, of Carteret: Bill to incorporate the town of Newport, in the county of Carteret. Under a suspension of the rules passed its several readings and ordered to be engrossed.

Mr. Everett moved that the House do re-consider its action of yesterday, by which the "Bill to prevent, for a limited time, the distillation of spirituous liquors from grain," was passed on its third reading.

Which was not adopted,—yeas 45, nays 59; the yeas and nays being demanded by Mr. Hutchison.

Those who voted in the affirmative are:

Messrs. Ashworth, Barnett, Black, Bryson, Burgess, Carson, Coates, Craige, Dargan, Davis, of Carteret, Davis, of Halifax, Donnell, Everett, Farrow, Furr, Garland, Hamilton, Henry, Hoke, Horton, Jenkins, of Gaston, Jenkins, of Granville, Jones, Joyner, Logan, Luke, Lyon, Matthews, McAden, McDonald, McGuire, McIntosh, Melson, Moore, of Alamance, Murrill, Nicks, Paschall, Simmons, Smith, of Columbus, Smith, of Guilford, Scoggin, Trull, Waugh, Wheeler and York.

Those who voted in the negative are:

Messrs. Allison, Arrington, Baxter, Beasley, Blackmer,

Blair, Blythe, Bonner, Burton, Caldwell, Cameron, Candler, Chadwick, Cowan, Cox, Crawford, Dalby, Faircloth, of Green, Faircloth, of Wayne, Ferrell, Flythe, Foster, Gaines, Gidney, Harper, Harrison, Hawes, Hodnett, Holderby, Holmes, Houston, Hutchison, Hyman, Jenkins, of Warren, Judkins, Kenan, Kinney, Lee, of Gates, Lucas, Manly, McEachern, McKay, McNair, Moore, of Chatham, Moore, of Martin, Mott, Niven, Newsum, Potter, Rosebro, Russell, Shaw, Smith, of Cumberland, Stilley, Thigpen, Webb, Whitley, Williams and Wilson.

Received a message from the Senate, announcing their refusal to concur in the House recommendation of magistrates for Yadkin county, and transmitting another list in lieu thereof; which was concurred in.

Mr. Nicks moved that a message be sent to the Senate, proposing to erase the name of S. S. Arnold from the list of magistrates recommended for Yadkin county; and, also, a similar message to add thereto the name of J. C. Phelps; which were not agreed to.

Received from the Senate a message transmitting the following bill and resolutions, and asking the concurrence of the House therein, viz:

Bill to authorize the Public Treasurer to collect and sell State property,—which was referred to the Committee on Finance; and

Resolutions relative to restoration of civil authority, &c., which, on motion of Mr. Manly, were laid upon the table.

Sundry recommendations of magistrates for the counties of Montgomery, Rowan, Union, Watauga, Haywood, Macon, Johnston and Polk, were submitted, approved and sent to the Senate for concurrence.

The calendar was then taken up and the following bills, coming up on their second reading, were severally disposed of as stated, to wit:

Senate bill to continue in office the Provisional Commissioners of Lincolnton and other towns. Under suspension of

the rules, passed its several readings and ordered to be enrolled.

Bill supplemental to an act entitled "An act for the government of the town of Elizabeth City," passed in 1832. Passed its several readings, under suspension of the rules, and ordered to be engrossed.

Bill to admit evidence of persons of color in Courts of Justice. Tabled.

Bill concerning Justices of the Peace. Tabled.

Bill to repeal "An act to decrease the expenses of Sheriffs' returns." Tabled.

Bill to amend Chap. 12, Sec. 1, Revised Code. Tabled.

Bill to legalize the election of Mayor and Commissioners of the town of Morganton. Under suspension of the rules, passed its several readings and ordered to be engrossed.

Bill to punish stealing of stock. Tabled.

Bill to incorporate Portis Gold Mining Company. Under suspension of rules, passed its several readings, as proposed to be amended by the Judiciary Committee, and ordered to be engrossed.

Bill to incorporate Dilwood Cemetery. On motion of Mr. Blackmer, made the special order for to-morrow (Friday) at 11 o'clock.

Bill to amend ch. 101, sec. 9, Revised Code, entitled "Roads, Ferries and Bridges." Under suspension of the rules, passed its several readings and ordered to be engrossed.

The bill to incorporate the town of Company Shops, in the county of Alamance, passed its third reading, and was ordered to be engrossed.

Mr. Smith, of Columbus, offered a resolution, which was adopted, instructing the Judiciary Committee to enquire into the expediency and propriety of reducing the penal bonds of sheriffs, clerks and other public officers.

On motion of Mr. Ashworth, it was

Ordered, That the Committee on the Judiciary be directed

to report whether any legislation is necessary to declare the meaning of sec. 51, ch. 46, Revised Code, and sec. 18, ch. 118, Revised Code, and, if any legislation is necessary, that the committee be directed to report by bill or otherwise.

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

FRIDAY, JANUARY 26, 1866.

Prayer by Rev. Dr. Smedes.

Leave of absence until Monday next was granted to Mr. Thigpen.

Mr. Newsum presented the memorial of Wm. E. Brodnax and Edmund Wilkins, relative to the privilege heretofore accorded the Raleigh and Gaston Railroad of establishing a ferry over the Roanoke, at Gaston; which was referred to the Committee on Propositions and Grievances.

Mr. Manly, from the Committee on the Judiciary, reported back the following bills, asking to be discharged from the further consideration of the same; which was so ordered:

Bill to authorize a Court of Pleas and Quarter Sessions for the county of Cabarrus;

Bill to legalize the proceedings of the Courts of Pleas and Quarter Sessions of the State;

Bill to revive and continue in force certain acts heretofore passed for the relief of persons who may suffer from the destruction of the records of Hertford county.

And unfavorably upon the following:

Senate bill to prevent horse-stealing; and

Bill to make horse-stealing a felony punishable by death.

Mr. Blackmer, from the committee on the Lunatic Asylum, to whom was re-committed the resolution appropriating $44,417 for the relief of that institution, reported the same back, with the statement that they could see no good reason for reducing the amount.

The following resolutions and bills were introduced and disposed of as stated, to wit:

By Mr. Caldwell: Resolution directing the Committee on Finance to enquire into the propriety of raising all taxes for State purposes by the stamp system, and of taxing real estate and polls only for county purposes, to be imposed by the magistrates of each county. So referred.

By Mr. McKay: Resolution directing the Secretary of State to have the Journals of the Legislature of 1864–'65 printed, as provided for by the Revised Code. Adopted and sent to the Senate for concurrence.

By Mr. McDonald: Resolution instructing the Committee on the revision of laws, ordinances, &c., to enquire whether the law of landlord and tenant, passed during the war, is now in force. Referred accordingly.

By Mr. Smith, of Hertford: Resolution instructing the Committee on the Lunatic Asylum to prepare and report a bill to carry into effect the recommendations contained in their report. Adopted.

By Mr. Marler: Bill to amend an act passed at the last meeting of the General Assembly, entitled "An act concerning the burning of Registers' books in the counties of Burke and Sampson." Under a suspension of the rules, passed its several readings and ordered to be engrossed.

By Mr. Kenan: Bill to amend Sec. 30, Chap. 54, Revised Code. Referred to Committee on Judiciary.

By Mr. Dargan: Bill to alter the pleadings in the Superior Courts and for the relief of the people. Ordered to be printed and referred to the Committee on the Stay Law.

By Mr. Foster: Bill to amend Sec. 12, Chap. 118, Revised Code. Referred to Committee on Judiciary.

By Mr. Blythe: Bill to enlarge the jurisdiction of Justices of the Peace. Same reference.

By Mr. Wilson: Bill fixing an uniform compensation for

members and officers of the General Assembly. Referred to Committee on Salaries and Fees.

By Mr. Ashworth: Bill more effectually to punish vagrancy. Referred to Committee on Freedmen.

The hour having arrived for the consideration of the special order, to wit: The bill to incorporate Dillwood Cemetery, the same was taken up.

Mr. Hoke offered the following amendment, to be inserted at the end of Sec. 3:

"*Provided*, That not more than ten acres of land shall be embraced by the provisions of this charter."

Which was adopted.

Mr. Smith, of Hertford, moved to amend by striking out the third section entire; which motion prevailed.

And the bill then passed its second, and, under a suspension of the rules, its third reading, and was ordered to be engrossed.

Received a message from the Senate, concurring in sundry recommendations of magistrates.

Recommendations of magistrates for the counties of Camden, Rockingham, Hertford, Jackson, New Hanover and Lenoir were submitted, approved and sent to the Senate for concurrence.

Mr. Russell moved to take from the table the resolutions "concerning the restoration of civil authority"; which motion did not prevail.

The calendar was then taken up, and the following bills, coming up on their second readings, were severally disposed of as stated, to wit:

Bill to authorize a Court of Pleas and Quarter Sessions for the county of Cabarrus. Tabled.

Bill to legalize the proceedings of the Courts of Pleas and Quarter Sessions of the State. Rejected.

Senate bill to prevent horse-stealing;

Mr. Jenkins, of Warren, moved to amend by striking out,

in Sec. 1, all after the words "felon or felons," and insert "shall suffer death."

Mr. Holderby moved to postpone the further consideration of the subject until to-morrow morning, 11 o'clock. Not carried.

The amendment was then rejected,—yeas 30, nays 73; the yeas and nays being demanded by Mr. Jenkins, of Warren.

Those who voted in the affirmative are:

Messrs. Barnett, Black, Blair, Bryson, Burton, Carson, Coates, Dunn, Faircloth, of Green, Ferrell, Foster, Hawes, Jenkins, of Gaston, Jenkins, of Warren, Jones, Judkins, Kenan, Lucas, Matthews, McAden, Moore, of Alamance, Niven, Page, Russell, Shaw, Simmons, Smith, of Columbus, Smith, of Cumberland, Waugh and Williams.

And those who voted in the negative are:

Messrs. Allison, Arrington, Ashworth, Baxter, Beasley, Blackmer, Blythe, Bonner, Burgess, Caldwell, Cameron, Candler, Chadwick, Cox, Craige, Crawford, Dalby, Dargan, Davis, of Carteret, Davis, of Halifax, Faircloth, of Wayne, Farrow, Flythe, Furr, Gaines, Garland, Gidney, Hamilton, Harper, Henry, Hodnett, Holderby, Hoke, Holmes, Horton, Houston, Hutchison, Hyman, Jenkins, of Granville, Joyner, Kinney, Lee, of Gates, Logan, Luke, Lyon, Manly, Marler, McDonald, McEachern, McGuire, McIntosh, McKay, McNair, Melson, Moore, of Martin, Mott, Murrill, Nicks, Newsum, Paschall, Potter, Rayner, Rosebro, Smith, of Guilford, Smith, of Hertford, Stilley, Scoggin, Teague, Trull, Wheeler, Wilson, Yellowley and York.

Mr. Moore, of Martin, moved that the bill be laid on the table; which did not prevail.

The question then recurring on the bill, it passed its second reading.

Bill to make horse-stealing a felony punishable by death. Rejected.

Bill concerning the destruction of the public records of Hertford county. Laid on the table.

Received a message from the Senate, communicating the action of that body with reference to certain recommendations of Justices of the Peace.

Also, transmitting the following engrossed bills and asking the concurrence of the House therein, to wit:

Bill to attach the county of Mitchell to the 8th Judicial Circuit, and for other purposes; and

Bill to continue in office Clerks and Masters, until their successors are appointed.

Which were severally read, and placed on file.

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

SATURDAY, JANUARY 27, 1866.

Prayer by Rev. Mr. Hudson.

Leave of absence, until Tuesday next, was granted to Messrs. Faircloth, of Greene, and Coates.

Mr. Manly, from the Committee on the Judiciary, reported unfavorably upon

Resolution of enquiry as to the propriety of making larceny punishable with death for the third offence; and

Bill to enforce the execution of contracts.

Mr. Manly, from the same committee, reported back, with a recommendation that it be referred to the Committee on Freedmen,

Bill to add thirty days' hard labor upon the public roads and highways, as an additional punishment for all offences, the punishment whereof is now whipping.

Which was ordered accordingly.

Mr. Blackmer, from the Committee on Corporations, reported favorably, with an amendment, upon

Bill to incorporate the Weldon Enterprize and Loan Company.

The following resolutions and bills were introduced, and disposed of as stated, to wit:

By Mr. Smith, of Columbus: Resolution instructing the Judiciary Committee to enquire into the propriety and expediency of amending section 13, chapter 46, Revised Code. So referred.

By Mr. Simmons: Instructing the Judiciary Committee to consider the expediency of adopting a Homestead Law, and to report by bill or otherwise. So referred.

By Mr. Henry: Resolution in favor of A. W. Fraps. Referred to Committee on Claims.

By Mr. Smith, of Hertford: Joint resolution authorizing the Public Treasurer to employ an additional clerk, during the present session, and appropriating a sum not to exceed one hundred dollars for that object. Under a suspension of the rules, passed its several readings and ordered to be engrossed.

By Mr. Hoke: Bill to authorize the formation of the English and American Wool and Vine Growing, Manufacturing, Mining and Agricultural Association in the United States of Ameriea. Referred to the Committee on Corporations.

By Mr. Jenkins, of Gaston: Bill to charter the High Shoals Railroad Company. Referred to the Committee on Internal Improvements.

By Mr. Smith, of Columbus: Bill to amend chapter 114, Revised Code. Judiciary.

By Mr. Scoggin: Bill to repeal chapter 6, of an act of the General Assembly of 1862–'3, entitled "An act authorizing the President and Directors of the Literary Fund to elect a Treasurer and prescribe his duties." Same reference.

By Mr. Whitley: Bill for the relief of guardians. Same referenee.

Sundry recommendations of magistrates, for the counties of

Alexander, Montgomery, Mecklenburg and Anson, were submitted, approved and sent to the Senate for concurrence.

The calendar was then taken up, and the following resolution and bills, coming up on their second reading, were severally disposed of, as stated, to wit:

Senate Resolution in favor of Briggs & Dodd. Passed its several readings, under a suspension of the rules, and ordered to be enrolled.

Senate bill "to attach Mitchell county to the 8th Judicial Circuit, and for other purposes." Under a suspension of the rules, passed its several readings and ordered to be enrolled.

Senate bill "to continue in office Clerks and Masters in Equity, until their successors are appointed. Referred to the Committee on the Judiciary.

Bill to enforce the execution of contracts. Tabled.

Bill to incorporate the Weldon Enterprize and Loan Company. Passed its several readings, under a suspension of the rules, and ordered to be engrossed.

The Senate bill "to prevent horse-stealing" coming up on its third reading,

Mr. Henry moved to strike out, in the sentence "shall receive thirty-nine lashes on his or her bare back," in section 2, the words "or her."

Mr. Candler moved to lay the amendment on the table; which motion did not prevail,—yeas 9, nays 81; the yeas and nays being demanded by Mr. Waugh.

Those who voted in the affirmative, are:

Messrs. Black, Burgess, Candler, Henry, Jenkins, of Granville, Melson, Moore, of Martin, Mott and Wilson.

Those who voted in the negative, are:

Messrs. Allison, Arrington, Ashworth, Barnett, Baxter, Beasley, Blackmer, Blair, Blythe, Bonner, Bryson, Burton, Caldwell, Cameron, Carson, Chadwick, Cox, Craig, Crawford, Dalby, Davis, of Carteret, Davis, of Halifax, Dunn, Faircloth, of Wayne, Farrow, Ferrell, Flythe, Furr, Garland, Gidney,

Hamilton, Harper, Hawes, Hodnett, Holderby, Hoke, Holmes, Horton, Houston, Hutchison, Hyman, Jenkins, of Gaston, Jenkins, of Warren, Jones, Joyner, Kenan, Kinney, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Manly, Marler, McDonald, McEachern, McGuire, McIntosh, McNair, Murrill, Niven, Nicks, Newsum, Paschall, Rayner, Rosebro', Russell, Shaw, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Stilley, Scoggin, Teague, Trull, Waugh, Wheeler, Whitley, Williams and York.

The amendment was then rejected.

Mr. Smith, of Hertford, moved to amend by striking out, in section 1, the words "from and after the passage of this act;" which was adopted.

Mr. Manly moved further to amend, by inserting, as an additional section, at the end of the bill:

"Sec. 3. *And be it further enacted*, That this act shall be in force from and after its ratification."

Which was adopted.

Mr. Holderby moved also to amend by inserting after the word "each," in section 1, the words "and stand in the pillory one hour;" which was adopted.

Mr. Wilson moved further to amend by striking out the words "without benefit of clergy," in section 1. Carried.

Mr. Jenkins, of Warren, moved next to amend by inserting, after the words "stand in the pillory one hour," the words "and be branded on the left cheek with the letters H. T.;" which did not prevail.

Mr. Hutchison moved, and it was carried, to insert, after the words "shall stand in the pillory one hour," the words "and shall be branded on the left hand with the words H. T."

Mr. Gaines moved further to amend, by inserting, after the words "mule or mule colt," the words "jack or jennet;" which was adopted.

Mr. Beasley moved still further to amend by adding, after

the word "jennet," the words "cow, hog or sheep;" which was not carried.

On motion of Mr. Smith, of Hertford, the vote by whieh Mr. Henry's amendment was rejected was reconsidered; and the amendment was adopted.

The bill, as amended, then passed its third reading, and was sent to the Senate for eoncurrenee in the amendments.

On motion of Mr. Waugh, a message was sent to the Senate, proposing to ballot forthwith for seven Trustees of the University, and stating that Messrs. J. H. Hyman, D. G. Fowle, J. F. Hoke, Jno. W. Cameron, Seaton Gales, Luke Blackmer, Jas. S. Amis, H. G. Williams, J. M. Hutchison, W. A. Jenkins, A. C. Cowles, R. S. Donnell, W. E. Pell, W. N. H. Smith, Geo. Washington, H. W. Guion, B. S. Gaither, T. R. Caldwell, T. A. Donaho, R. S. Mason, Phineas Horton, D. D. Ferebee, Nat. Boyden, D. F. Caldwell, E. C. Yellowley, Jno. D. Whitford and A. M. Bogle are in nomination.

Received a message from the Senate, transmitting reeommendation of magistrates for Union county; whieh was approved.

Also, eoncurring in the proposition to go immediately into an eleetion for seven Trustees of the University.

Whereupon the House proceeded to ballot, under the superintendence of Me Kenan and Gaines.

After which, and before the announeement of the result, the House, on motion of Mr. Russell, adjourned till Monday morning, 10 o'clock.

MONDAY, January 29, 1866.

Leave of absence for one week was granted to Messrs. Whitley and Stilley.

The Speaker announced the following gentlemen as eomposing the Committee on Enrolled Bills for the week, viz: Messrs. Niven, Candler, Ferrell, Lucas and Bonner.

Mr. Manly, from the Committee on the Judiciary, to whom they were referred, reported back

Resolution of enquiry relative to delinquent sheriffs; and

Resolution of enquiry as to propriety of requiring Constables and Deputy Sheriffs to return magistrates' judgments to debtors, when paid;

Asking to be discharged from the further consideration of the same. Ordered accordingly.

Mr. Manly, from the same committee, reported favorably, with amendments, upon

Bill in favor of A. J. McBride, late Sheriff of Watauga county;

Bill to authorize C. A. Boon, late Sheriff of Guilford, to collect arrears of taxes;

Bill in favor of J. A. Oates, Sheriff of Sampson;

Bill in favor of Walker Smith, Sheriff of Rockingham; and

Bill to restore jury trials, in criminal cases, to the Court of Pleas and Quarter Sessions in Onslow county.

And unfavorably upon the following:

Bill to extend relief by injunction; and

Bill to make an assault, with intent to commit rape, upon the body of a white female, a felony punishable with death.

Mr. Manly, from the same committee, reported back the resolution of enquiry relative to reducing the penal bonds of Sheriffs and other officers, and asked that it be referred to the Committee on Revision of laws, &c.; which was so ordered.

Mr. Smith, from the Committee on Finance, to whom was referred Joint Resolution for transcribing, &c., the records of the office of Secretary of State, reported back a substitute for the same, and recommended its passage.

Mr. Kenan, from the committee appointed on yesterday to superintend the election of seven Trustees of the University, reported that the whole number of votes cast was 130,—necessary to a choice 66; that Mr. Smith had received 95, Mr. Blackmer 79, Mr. Cameron 62, Mr. Gales 59, Mr. Jenkins 50,

Mr. Ferebee 50, Mr. Hyman 44, Mr. Donnell 37, Mr. Cowles 35, Mr. Hoke 32, Mr. Fowle 32, Mr. Amis 30, Mr. Engelhard 30, Mr. Yellowley 27, Mr. Horton 24, Mr. Williams 22, Mr. T. R. Caldwell 21, Mr. Boyden 19, Mr. Perry 18, Mr. Pell 18, Mr. Hutchison 16, Mr. Whitford 13, Mr. Gaither 12, Mr. Guion 12, Mr. D. F. Caldwell 10, Mr. Bogle 8, Mr. Bynum 10, and all others 26; and that Messrs. W. N. H. Smith and Luke Blackmer, having each received a majority of the whole number of votes cast, were duly elected. Which report was concurred in.

On motion of Mr. Gaines, a message was sent to the Senate, proposing to ballot forthwith for five Trustees of the University, and stating that the names of Messrs. S. S. Jackson, R. H. Cowan, Evans Benbow, Jno. M. Haughton and W. P. Bynum were added to, and the names of Messrs. T. A. Donaho, W. E. Pell, Nat. Boyden, H. W. Guion, B. S. Gaither and H. G. Williams withdrawn from, the list of nominations.

The following bills were introduced and severally disposed of, as stated, to wit:

By Mr. McKay: Bill relating to the late Provisional Judges. Referred to the Committee on Salaries and Fees.

By Mr. Jenkins, of Warren: Bill to incorporate the North-Carolina Immigration Company. Referred to the Committee on Corporations.

By Mr. McAden: Bill touching the Piedmont Railroad Company. Referred to a Special Committee of three, consisting of Messrs. McAden, Jenkins, of Warren, and Blackmer.

By Mr. Smith, of Hertford: Bill to authorize the Banks of the State to take stock in National Banks. Referred to Committee on Finance.

By Mr. Yellowley: Bill for the relief of W. H. Perkins, late Tax Collector of Pitt county. Judiciary.

By Mr. Joyner: Bill to consolidate the acts relating to the Courts, and for other purposes. Referred to the Committee on the Stay Law, and ordered to be printed.

By Mr. Crawford: Bill to amend an act entitled "An act to incorporate the Macon County Turnpike Company," passed at the session of 1856–'7. Cherokee Lands.

Sundry recommendations of magistrates for the counties of Carteret, Tyrrell, Surry, Alamance, Madison, Transylvania and Samson were submitted, approved, and sent to the Senate for concurrence.

Received from the Senate a message, concurring in the foregoing recommendations; and also nominating magistrates for the counties of Madison and Alleghany,—which were concurred in.

Also, a message refusing to concur in the proposition to vote at once for Trustees of the University.

Also, a message announcing Messrs. Donaho, Cowles and Eure as the Senate branch of the Committee on Enrolled Bills for the week.

The calendar was then taken up, and the following bills, coming up on their second reading, were disposed of, as stated, to wit:

Bill in favor of A. J. McBride, late Sheriff of Watauga. Passed second reading, as amended by the committee.

Bill in favor of J. A. Oats, Sheriff of Sampson. The amendments of the committee were adopted; but the question being raised whether bills of this character partook of the nature of public bills, and, as such, were excluded from the operation of the act requiring notice of application to be given, the bill was re-committed to the Committee on the Judiciary for a decision in the premises.

Bill in favor of Walker Smith, Sheriff of Rockingham. Laid on the table for the present.

Bill in favor of C. A. Boon, late Sheriff of Guilford. Laid on the table for the present.

Bill to extend relief by injunction. Indefinitely postponed.

Bill to restore jury trials, in criminal cases, to the Court of Pleas and Quarter Sessions of Onslow. The amendment of

the committee, making the bill one of general application, was adopted, and the bill passed its second reading.

Bill to make an assault, with intent to commit rape, upon the body of a white female, a felony punishable with death. Laid on table.

Resolution for transcribing, &c., the records of the office of Secretary of State. Passed second reading.

Received a message from his Excellency, the Governor, transmitting the report of the President and Directors of the Western N. C. Railroad; which was sent to the Senate, with a proposition to print.

Received a message from the Senate, transmitting the following engrossed bills, and asking the concurrence of the House in the same, viz:

Bill to incorporate the Salem Female Academy. Referred to the Committee on Education. And,

Bill to incorporate the Albemarle Steam Navigation Company. Referred to Committee on Internal Improvement.

Mr. Rayner moved that the bills, etc., reported from the Commission appointed under the Ordinance of the Convention upon the subject of Freedmen, be taken from the hands of the Committee, to whom they had been referred, and considered hereafter as in Committee of the Whole; which was so ordered. And,

On further motion of Mr. Hutchison, the same were made the special order of the day for to-morrow at 11 o'clock.

Mr. McAden, by leave, from the special committee on the subject, reported back the bill "touching the Piedmont Railroad," and recommended its passage; whereupon, under a suspension of the rules, the bill passed its several readings and was ordered to be engrossed.

Received a message from the Senate, concurring in the proposition to print the report of the President and Directors of the Western N C. R. R.

The hour for the special order, to wit: Bill for the relief of

such persons as may suffer from the destruction of the records and other papers of the several counties of this State, and for other purposes, having arrived, the same was,

On motion of Mr. Smith, of Hertford, referred to the Committee on the Judiciary.

Mr. Baxter, by leave, offered the following resolution, viz:

Resolved, That a special Committee of three be appointed by this body to examine and revise, if necessary, the laws relating to the Insane Asylum, to the end that its operations may be more clearly and easily understood by the General Assembly, and it thereby enabled to act upon all reports and business pertaining to that institution more intelligibly than has seemed the case heretofore.

Whereupon, the Speaker designated Messrs. Baxter, Hutchison and Russell as said Committee.

On motion of Mr. Wilson, a message was sent to the Senate, proposing to vote at once for five Trustees of the University.

The Senate concurring, the House proceeded to ballot, under the superintendence of Messrs. Kenan and Gaines.

After which, and before the result was announced,

On motion of Mr. Smith, of Columbus, the House adjourned until to-morrow morning, 10 o'clock.

TUESDAY, JANUARY 30, 1866.

Prayer by Rev. Mr. Whitfield.

A message was received from the Public Treasurer, suggesting that he be allowed to give certificates, under seal of the Treasury Department, in regard to the laws of this State, &c., and that reasonable Clerk's fees be allowed for the same; which, on motion, was transmitted to the Senate, with a proposition that it be referred to the Committee on Finance.

Mr. Manly, from the Committee on the Judiciary, to whom

they were severally referred, reported unfavorably upon the following bills and resolution, to wit:

Bill authorizing the collection of unpaid taxes in the county of Pasquotank;

Bill to legalize the official acts of Justices of the Peace in the county of Johnston;

Bill to authorize the establishment of Courts of Arbitration in each county of the State, by the Court of Pleas and Quarter Sessions in each county; and

Resolution of enquiry as to the propriety and expediency of amending sec. 13, chap. 46, Revised Code.

And favorably, with amendments, upon the following, viz:

Senate bill for the relief of all persons who may suffer from the destruction of records and other papers during the war; and

Senate bill to continue in office Clerks and Masters until their successors are appointed.

Mr. Manly, from the same Committee, to whom was referred a message from his Excellency, the Governor, accompanied by a memorial from boat-owners and others, relative to the Cape Fear Navigation Company, reported back a series of resolutions upon the subject; which were laid over.

Mr. Manly, from the same Committee, to whom was referred a resolution of enquiry whether or not further legislation is necessary for the protection of vine and fruit growing, reported back "A bill to protect the culture of the grape and other fruits"; which passed its first reading.

Mr. Smith, from the Committee on Finance, reported back

Bill to pay the U. S. Land Tax for 1861, and

Resolution of enquiry as to the expediency of selling State property acquired since May 20, 1865;

Recommending that they, respectively, lie upon the table.

And, favorably, with amendments, upon the bill "to authorize the Public Treasurer to collect and sell State property."

Mr. Smith, from the Committee on the scale of depreciation

of Confederate currency, to whom was referred a resolution directing said Committee to enquire into the propriety of fixing such scale on a produce valuation, submitted a report and asked to be discharged from the further consideration of the subject; which was ordered accordingly.

Mr. Blackmer, from the Committee on Corporations, reported favorably, with an amendment, upon

Bill to authorize the formation of the English and American Wool and Vine Growing, Manufacturing, Mining and Agricultural Association in the United States of America;

And, favorably, upon

Bill to incorporate the North-Carolina Immigration Company.

Mr. Kenan, from the committee appointed on yesterday to superintend the election of five Trustees of the University, reported that the whole number of votes cast was 138,—necessary to a choice 70; that Mr. Cameron received 68, Mr. Ferebee 68, Mr. Gales 64, Mr. Jenkins 63, Mr. Hyman 63, Mr. Haughton 48, Mr. Yellowley 32, Mr. Bynum 33, Mr. Engelhard 39, Mr. Cowles 27, Mr. P. Horton 29, Mr. Hoke 24, Mr. Cowan 18, Mr. Whitford 13, Mr. Jackson 13, Mr. Amis 11, Mr. Fowle 11, Mr. Hutchison 10, Mr. T. R. Caldwell 10, and all others 40; and that there was no election. Which report was concurred in.

Mr. Blackmer submitted an additional recommendation for Justices in the county of Rowan; which was approved and sent to the Senate for concurrence.

Mr. Allison moved to take from the table the bill "to authorize a Court of Pleas and Quarter Sessions for the county of Cabarrus;" which was carried.

And the bill was then amended, and passed its second, and, under a suspension of the rules, its third reading, and was ordered to be engrossed.

On motion of Mr. Rayner, the House now resolved itself, (the hour agreed upon having arrived,) into a committee of

the Whole, (Mr. Rayner in the chair,) on the "Freedman's Code," the immediate subject before the committee being the bill "concerning Negroes, Indians, and persons of color or of mixed blood."

After some time spent therein, the Speaker resumed the chair. Mr. Rayner, on behalf of the committee, reported progress, and asked leave to sit again to-morrow at 11 o'clock; and leave was accordingly granted.

Received a message from the Senate, concurring in the recommendation of magistrates for the county of Rowan.

Also, concurring in the proposition of the House to refer the special message of the Public Treasurer to the Committee on Finance.

Also, transmitting a recommendation for magistrates for the county of Hertford; which was concurred in.

On motion of Mr. McNair, a message was sent to the Senate, proposing to vote forthwith for five Trustees of the University, and announcing that the names of Messrs. Amis, Hutchinson, Cowles, D. F. Caldwell and R. H. Cowan were withdrawn from, and the names of Rt. Rev. Thomas Atkinson, and Revs. R. H. Marsh, T. M. Jones and Alex. Wilson added to, the list already in nomination.

The Senate concurring, the House proceeded to ballot; after which, and before the vote was announced,

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

WEDNESDAY, January 31, 1866.

Prayer by Rev. Mr. Byrd.

Leave of absence for one week was granted to Mr. Lucas.

Recommendations of magistrates for the counties of Warren and Columbus were submitted, approved and sent to the Senate for concurrence.

Mr. Coates submitted a memorial from Benj. Matthews, of the county of Johnston, praying that measures be taken to investigate the removal from his land, by agents of the State, of a certain bed of rosin; which was referred to the Committee on the Judiciary.

Received a message from the Senate, transmitting certain amendments to the bill "for the more complete organization of the State government, and for other purposes;" which amendments were concurred in, and the Senate informed thereof by message.

Mr. Logan, from the Committee on Cherokee Lands, reported favorably upon the bill to amend an act entitled "an act to incorporate the Macon County Turnpike Company."

Mr. Manly, from the Committee on the Judiciary, to whom they were severally referred, reported adversely upon:

Bill to enlarge the jurisdiction of Justices of the Peace;

Bill to punish breaking into a house in the day-time;

Bill to amend chapter 114, Revised Code;

Bill for the relief of guardians; and

Bill to amend sec. 30, chap. 54, Revised Code.

And, favorably, with amendments, upon the following:

Bill to repeal chap. 6 of an act of 1863, entitled an act "authorizing the President and Directors of the Literary Fund to elect a Treasurer and prescribe his duties"; and

Bill to amend sec. 12, chap. 118, Revised Code.

Mr. Hoke, from the Committee on Internal Improvements, reported back, with a recommendation that they do pass:

Bill to charter the High Shoals Railroad Company; and

Senate bill to incorporate the Albemarle Steam Navigation Company.

Mr. Kenan, from the Committee appointed on yesterday, to superintend the election of five Trustees of the University, reported that the whole number of votes cast was 141,—necessary to a choice 71; that Mr. Cameron had received 86, Mr. Gales 77, Mr. Ferebee 73, Mr. Jenkins 66, Mr. Hyman 60, Mr.

Hoke 54, Mr. Bynum 42, Mr. Jones 38, Mr. Atkinson 34, Mr. Marsh 33, Mr. J. H. Haughton 29, Mr. Wilson 27, Mr. P. Horton 12, Mr. Yellowley 11, and all other 46; and that John W. Cameron, Seaton Gales and D. D. Ferebee, having each received a majority of the whole number of votes cast, were duly elected.

The following resolution and bill were introduced, and disposed of, as stated, viz:

By Mr. Smith, of Hertford: Joint resolution authorizing the Governor to appoint two Commissioners, (and a third, if necessary,) to make examination of the condition and management of the Albemarle and Chesapeake Canal Company, and report the result of said examination, with such recommendations as may seem proper, to the General Assembly or Convention. Referred to the Committee on Internal Improvements.

By Mr. Caldwell: Bill to authorize the exchange of the stocks held by the State of North Carolina in certain railroads and canals for bonds of the State, or the interest thereon now due, and for other purposes. Ordered to be printed and referred to the Committee on Finance.

The calendar was then taken up, and the following resolutions and bills, coming up on their second reading, were severally disposed of, as stated, to wit:

Resolutions from the Judiciary Committee relative to memorial of boat-owners, and others, of Wilmington, concerning the Cape Fear Navigation Company. Under a suspension of the rules, passed their several readings, and ordered to be engrossed.

Bill to legalize the official acts of Justices of the Peace in Johnston county. Laid on the table.

Bill authorizing the collection of unpaid taxes in the county of Pasquotank. Rejected.

Senate bill to authorize the Public Treasurer to collect and sell State property. The amendments recommended by the

Committee were adopted, and the bill, as amended, under a suspension of the rules, passed its several readings, and was ordered to be sent to the Senate for concurrence in the amendments.

Senate bill for the relief of all persons who may suffer from the destruction of records and other papers during the war: The amendments suggested by the Committee were adopted; the bill, as amended, under a suspension of the rules, passed its several readings; and it was sent to the Senate for concurrence in the amendments.

Senate bill to continue the Clerks and Masters of Equity in office, until their successors are appointed. The amendment of the Committee was adopted, the bill, under a suspension of the rules, passed its several readings, and was sent to the Senate for concurrence in the amendment.

Received a message from the Senate, transmitting sundry recommendations of magistrates for the counties of Ashe, Macon and Cabarrus; which were concurred in.

Also, a message announcing that they had passed the House bill concerning the *per diem* of Councillors of State, with an amendment, in which they asked the concurrence of this body. Laid on the table for the present.

The hour having arrived, the House resolved itself into Committee of the Whole, (Mr. Rayner in the chair,) on the "Freedmen's Code." After some time spent therein, the Committee rose, and Mr. Rayner, on its behalf, reported progress and asked leave to sit again at 12 o'clock, to-morrow. And leave was granted accordingly.

Received a message from the Senate, proposing to go at once into an election for two Trustees of the University. Laid on the table.

Received a message from his Excellency, the Governor, relative to certain property claimed by the State, and also claimed by individuals,—the contest as to title turning on questions of law,—and also relative to other matters; which was or-

dered to be transmitted to the Senate, with a proposition to refer to the Committee on Finance.

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

THURSDAY, February 1, 1866.

Prayer by Rev. Dr. Mason.

Mr. Jenkins, of Granville, for the Committee on Education, reported back to the House, with a recommendation that it do pass;

Senate bill to incorporate the Salem Female Academy; which, under a suspension of the rules, passed its several readings and was ordered to be enrolled.

Mr. Hoke, from the Committee on Internal Improvements, reported favorably upon the resolution requesting the Governor to appoint a Commission to investigate the affairs of the Albemarle and Chesapeake Canal Company, &c. Under a suspension of the rules, the resolution passed its several readings, and was ordered to be engrossed.

Mr. Smith, from the Committee on Finance, reported favorably upon the bill "to authorize the Banks of the State to take stock in National Banks;" and the bill, together with the report, was ordered to be printed.

The following resolution and bills were introduced and severally disposed of, as stated, to wit:

By Mr. Moore, of Chatham: Resolution authorizing a special committee to confer with the State and National Executives, relative to the non-admission of the representatives from North-Carolina into Congress. Referred to the Committee on Federal Relations.

By Mr. McDonald: Bill to extend the time for redemption of land sold for taxes. Referred to Committee on Finance.

By Mr. Manly: Bill concerning Attornies at Law. Referred to the Committee on Federal Relations.

Mr. Hyman submitted an additional list of magistrates for the county of Edgecombe; which was approved and sent to the Senate for concurrence.

Received a message from the Senate, transmitting sundry recommendations of magistrates for the counties of Hyde, Stokes, Burke, Rowan and Columbus; which were severally concurred in.

Also, a message announcing their concurrence in the amendments of the House to the engrossed bills "to continue in office the Clerks and Masters in Equity, until their successors are appointed," and "for the relief of all persons that may suffer from the destruction of records and other papers during the war."

On motion of Mr. Holderby, a message was sent to the Senate, proposing to vote forthwith for two Trustees of the University; in which proposition the Senate subsequently refused to concur.

The calendar was then taken up, and the following resolution and bills, coming up on their second reading, were severally disposed of, as stated, viz:

Resolution appropriating $44, 417 for the relief of the Lunatic Asylum. Under a suspension of the rules, passed its several readings, and ordered to be engrossed.

Bill to authorize the establishing a Court of Arbitration in each county in this State, by the Court of Pleas and Quarter Sessions in each county. On motion of Mr. Caldwell, referred to a select committee of five.

Whereupon, the Speaker designated Messrs. Caldwell, Smith, of Hertford, Murphy, Dalby and Crawford as composing said Committee.

Bill to pay Federal land taxes for 1861. Tabled.

Bill to authorize the formation of the English and American Wool and Vine Growing, Manufacturing, Mining and Agricultural Association in the United States. Postponed and made the special order for to-morrow morning, 11 o'clock.

Bill to protect the culture of the grape and other fruits. Amended, on motion of Mr. Teague, by inserting the word "water-melons" after the word "grapes," and, as amended, passed its several readings, under a suspension of the rules, and ordered to be engrossed.

Bill to amend an act, entitled "An act to incorporate the Macon County Turnpike Company." Passed its several readings, under a suspension of the rules, and ordered to be engrossed.

The hour having arrived, the House resolved itself into a Committee of the Whole on the "Freedman's Code,"—Mr. Rayner in the chair. After some time spent therein, the Committee rose, and Mr. Rayner, on its behalf, reported progress, and asked leave to sit again at 12 o'clock to-morrow. And leave was granted accordingly.

Received a message from his Excellency, the Governor, transmitting a memorial from the Trustees of the University of the State, and, also, a communication from Rev. Dr. Curtis, Assistant State Geologist; which, on motion, were ordered to be sent to the Senate, with a proposition to print and refer to the Committee on Finance.

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

FRIDAY, February 2, 1866.

Prayer by Rev. Dr. Smedes.

Leave of absence until Thursday next was granted to Mr. Yellowley.

Mr. Smith, from the Committee on Finance, reported back the bill "To extend the time for redemption of lands sold for taxes," with the recommendation that it do not pass.

Mr. Logan, from the Committee on Cherokee Lands, to whom was referred the report of J. M. Shook, Provisional

Agent of the Western Turnpike, reported back the same, and asked to be discharged from its further consideration; which was so ordered.

Mr. Leigh presented additional recommendations of magistrates for the county of Tyrrell, which were approved and sent to the Senate for concurrence.

The following resolutions and bills were introduced, and severally referred, as follows:

By Mr. Paschall: Instructing the Judiciary Committee to enquire and report whether any, or what, relief can be provided by legislative action, for guardians and others, acting in a fiduciary capacity, from liability for losses arising out of investments in Confederate and State securities issued during the war.

By Mr. McDonald: Instructing the Committee on Finance to enquire and report as to the expediency of so amending the existing law, granting time to persons whose land has been sold for taxes in which to redeem the same, as to extend the term of redemption from one to three years.

By Mr. Blythe: Bill to perpetuate liens against real estate. Referred to the Committee on the Judiciary.

By Mr. Yellowley: Bill to amend "An act for the better regulation of the town of Greenville," and to increase the powers of the Commissioners of said town. Same reference.

By Mr. Russell: Bill to regulate pleadings in the Courts of Law in this State. Referred to the Committee on the Stay Law.

By Mr. Hoke: Bill to create an Agent for the State of North-Carolina, at Washington. Referred to the Committee on Federal Relations.

The calendar was then taken up, and the following bills, coming up on their second reading, were severally disposed of as stated, viz:

Bill to incorporate the North-Carolina Immigration Com-

pany. Under a suspension of the rules, passed its several readings, and ordered to be engrossed.

Bill to enlarge the jurisdiction of Justices of the Peace. Laid on the table.

Bill to punish the breaking into a house in the day time. Rejected.

Bill to amend chap. 114, Revised Code. Tabled.

Bill to amend sec. 30, chap. 54, Revised Code. Tabled.

Bill to repeal chap. 6, of an act of 1863, "authorizing the President and Directors of the Literary Fund to elect a Treasurer, and prescribe his duties." The amendment of the Committee being adopted, the bill, under a suspension of the rules, passed its several readings, and was ordered to be engrossed.

The hour having arrived for the consideration of the special order, viz: Bill to incorporate the English and American Vine and Wool-growing, Mining, Manufacturing and Agricultural Association in the United States,—the same was taken up.

Mr. Henry moved to amend, by inserting, after the word "Directors," "a majority of whom shall be citizens of, and reside in, the State of North-Carolina;" which did not prevail.

Mr. Henry moved also to amend, by inserting after the words "other places," the words "which shall be located and fixed in North-Carolina;" which was not carried.

The bill was then, on motion, referred to the Committee on the Judiciary.

Received a message from the Senate, proposing to raise a Joint Select Committee of three from the Senate and five from the House, to consider whether it would be to the advantage of the State to consolidate the North-Carolina Railroad Company and the Atlantic & North-Carolina Railroad Company; in which proposition the House declined to concur, and, on motion of Mr. Manly, a message was sent to the Sen-

ate, proposing to refer said matter to the Joint Select Committee on Railroads, heretofore raised.

Also, a message concurring in the appointment of Justices for the county of Edgecombe.

Also, concurring in the House proposition to refer the message of the Governor concerning State claims to property, &c., to the Committee on Finance.

Also, announcing the passage of the following engrossed resolutions, and asking the concurrence of the House therein, viz:

Resolution concerning the Public Square. Referred to the Committee on Public Buildings.

Resolution to furnish Revised Code to Clerks of the Courts, not already supplied. Placed on file.

Resolution in favor of Drewry King. Referred to Committee on Finance.

Also, a message proposing to vote at once for two Trustees of the University.

The House concurring, it proceeded to ballot, under the superintendence of Messrs. Kenan and Gaines,—the names of Messrs. Fowle, Benbow, Yellowley and P. Horton having been previously withdrawn from, and the name of Mr. H. M. Waugh having been added to, the list of nominees.

The appointed hour having arrived, the House resolved itself into Committee of the Whole on the "Freedmen's Code,"—Mr. Rayner in the chair. After some time spent therein, the committee rose, and Mr. Rayner, on its behalf, reported progress, and asked leave to sit again on Monday next, 12 o'clock. And leave was accordingly granted.

Mr. Gaines, from the committee appointed to superintend the election of two Trustees of the University, reported that the whole number of votes cast was 149,—necessary to a choice 75; that Mr. Jenkins had received 71, Mr. Hyman 67, Mr. Hoke 51, Mr. Bynum 40, Mr. Haughton 26, and all others 31; and that there was no election.

And then, on motion of Mr. Faircloth, of Wayne, the House adjourned until to-morrow morning, 10 o'clock.

SATURDAY, February 3, 1866.

Prayer by Rev. Mr. Branson.

The Speaker announced Mr. Hoke as a member of the Committee on Federal Relations, to supply the vacancy occasioned by the resignation of Mr. Sharpe.

Mr. Manly, from the Committee on the Judiciary, to whom they were referred, reported favorably upon the bill to amend an act "for the better regulation of the town of Greenville," &c.; and favorably, with amendments, upon the bill "to incorporate the English and American Wool and Vine Growing, Mining, Manufacturing and Agricultural Association in the United States."

And, unfavorably, upon the bill "to perpetuate liens against Real Estate."

Mr. Manly, from the same committee, to whom was referred a resolution, instructing them to report whether any legislation is necessary to declare the meaning of section 51, chapter 46 Revised Code, and section 18, chapter 118 Revised Code, reported back a bill "to give further security to a widow for her year's provision;" which was read the first time and placed on file.

Mr. Joyner, from the Committee on Public Buildings, reported favorably upon the engrossed resolution from the Senate "concerning the Public Square."

Mr. Cameron, from the Committee on Federal Relations, reported favorably, with amendments, upon the bill "to create an Agent for the State of North-Carolina at Washington City."

Mr. Wheeler, from the Committee on Claims, reported favorably upon the resolution in favor of A. W. Fraps.

The following bills were introduced and severally disposed of as follows, to wit:

By Mr. Hutchison: Bill to incorporate the Trustees of the General Assembly of the Presbyterian Church in the United States of America. Placed on file.

By Mr. Manly: Bill to allow persons of Indian blood to bear testimony in controversies at law and in equity. Placed on file.

By Mr. Palmer: Bill for the relief of Hiram Hunter, former sheriff of Madison county. Referred to the Committee on the Judiciary.

The calendar was then taken up, and the following bills, coming up on their second reading, were severally disposed of as stated, viz:

Bill to amend an act entitled "An act for the better regulation of the town of Greenville," &c. Under a suspension of the rules, passed its several readings and ordered to be engrossed. And,

Bill to amend section 12, chapter 118 Revised Code. Under a suspension of the rules, passed its several readings and ordered to be engrossed.

Mr. Melson submitted a list of magistrates for the county of Washington, which was approved and sent to the Senate for concurrence.

Received a message from the Senate, concurring in the recommendation of magistrates for the county of Tyrrell, and also in the proposition to print the memorial of the Trustees of the University and refer the same to the Committee on Finance.

Also, a message concurring in the recommendation of magistrates for the county of Washington; and also transmitting sundry additional recommendations for the counties of Northampton, Washington and Forsythe,—which were concurred in.

Also, a message announcing that the Senate had passed the engrossed bill "to authorize the Mayor and Commissioners of Fayetteville to issue certificates of indebtedness and appoint

assessors of taxables," with certain amendments, in which they asked the concurrence of the House. Laid over.

Received a message from his Excellency the Governor, covering the annual report of the Albemarle and Chesapeake Canal Company, and also a communication from the Principal of the Asylum for the Deaf, Dumb and the Blind, asking for directions as to the disposition of certain books in his possession belonging to the State; which were ordered to be sent to the Senate, with a proposition to print the same.

Received a message from the Senate, transmitting the following engrossed resolutions and asking the concurrence of the House therein, viz:

"RESOLUTIONS CONCERING THE STATUS OF THE PRESENT SESSION OF THE GENERAL ASSEMBLY."

"1. *Resolved by this General Assembly, the House of Commons concurring,* That the sitting of this General Assembly, which began on the 27th day of November, 1865, and terminated by adjournment on the 18th December, 1865, constitutes, and is hereby declared, and was so intended, to be one session of this General Assembly.

2. *Resolved,* That the sitting of this General Assembly, convened by the proclamation of the Governor on the 18th January, 1866, constitutes and is hereby declared to be one session of the General Assembly.

3. *Resolved,* That the present session of the General Assembly be brought to a close on the third day of February, 1866, by adjournment, to meet again on the 5th day of February, 1866.

4. *Resolved,* That the unfinished business depending in the two Houses of the General Assembly on the adjournment at the close of the present session, shall be continued over and resumed at the next session, which is to meet on the 5th day of February, 1866, as if there had been no adjournment."

Mr. Manly moved to amend by striking out all after the enacting clause and inserting the resolution reported by the majority of the Joint Select Committee on the subject, which is in the words following:

"That the adjournment of the Legislature, and its meeting again under the Proclamation of the Governor, is hereby declared to be but *one session* of this General Assembly."

Mr. Hoke moved to amend the amendment by substituting the following:

"*Resolved*, That the session of the Legislature called by the Governor to meet on the 18th of January, 1866, is an extra session of the Legislature, and shall be considered to end on the 3rd day of February, 1866."

Pending debate whereon, the House, on motion of Mr. Russell, took a recess until 7 o'clock, P. M.

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7 O'clock, P. M.

The House resumed the consideration of the engrossed resolutions "concerning the status of the present session of the General Assembly."

Mr. Manly moved to lay the resolutions and amendments upon the table; which motion did not prevail.

The amendment of Mr. Hoke was then rejected; and, Mr. Manly having withdrawn his amendment,

Mr. Smith, of Hertford, moved to amend by striking out the words "and was so intended" in the 5th line of the 1st resolution; which was carried.

Mr. Jenkins, of Warren, moved further to amend, by striking out the last two resolutions of the series, and inserting, in lieu thereof, the following, viz:

Resolved, That so much of the joint resolution of the first session of this General Assembly, ratified on the 7th December, 1865, as requires the General Assembly to meet again on the 5th day of February, is hereby rescinded.

Which was adopted.

Mr. Smith, of Hertford, moved still further to amend by inserting, in the 3rd line of the second resolution, in lieu of the words "*one* session," the words "*a* session;" which was carried.

The resolutions, as amended, were then adopted, and sent to the Senate for concurrence in the amendments.

Received a message from the Senate, announcing that they had laid on the table the proposition to print the report of the Albemarle and Chesapeake Canal Company, and the communication of W. J. Palmer, Principal, &c., in reference to books printed for the use of the State.

Also, a message proposing to raise a joint select committee, of two on the part of the Senate, and four on the part of the House, to examine the books printed for the State at the Deaf and Dumb Institute, and report what disposition shall be made of them; which was concurred in, and Messrs. Newsum, Kenan, Bonner and Faircloth, of Greene, announced as the Committee on the part of the House.

Leave of absence until Wednesday next was granted to Messrs. Holmes and Allison.

Received a message from the Senate, concurring in the House amendments to the "Resolutions concerning the status of the present session of the General Assembly," and proposing, as an additional amendment, the following:

"*Resolved*, That all the unfinished business of the last session, which was continued over the recess, be resumed on the 5th day of February, as on an adjournment from day to day."

Mr. Waugh moved that the House do not concur; which motion did not prevail.

Mr. Caldwell moved to strike out the words "on the 5th day of February." Carried.

Mr. Smith, of Hertford, moved to insert, after the word "recess" the words "and is now undisposed of;" which also prevailed.

Mr. Wilson offered the following as a substitute for the amended resolution, viz:

"*Resolved*, That the unfinished business of the last session of this General Assembly, which adjourned Dec. 18, 1865, has been properly resumed at this session of the General Assembly; and that the General Assembly now in session shall be, and it is hereby declared to be, fully competent to the completion of all business that would have devolved on it at the adjourned session intended to commence on the 5th of February inst."

Which was adopted and transmitted to the Senate for concurrence.

Received a message from the Senate, concurring in the foregoing amendment of the House to the Senate amendment to the resolutions; and then,

On motion of Mr. Hoke, the House, at 11 o'clock, P. M., adjourned until Monday morning, 10 o'clock.

MONDAY, February 5, 1866.

Prayer by Rev. Mr. Atkinson.

The Speaker announced the following gentlemen as Composing the Committee on Enrolled Bills for the week, viz: Messrs. Russell, Hyman, Barnett, Carson and Teague.

Sundry recommendations of magistrates for the counties of Caswell, Davidson, Yadkin, Stanly, Randolph, Sampson, Wilson and Harnett were submitted, approved, and sent to the Senate for concurrence.

The following resolutions and Bills were introduced, and severally disposed of, as follows, viz:

By Mr. Waugh: Resolutions in relation to the United States Land Tax. Referred to the Committee on Donation of Public Lands.

By Mr. Smith, of Hertford: Resolution accepting a dona-

tion of lands by the Congress of the United States, under the act approved February 2, 1862. Same reference.

By the same: Resolution authorizing the Governor to appoint a commission of three persons to examine the laws passed since the adoption of the Revised Code, and to prepare and report to the General Assembly, at its next session, a digest of the same, &c. Referred to the Committee on the Judiciary.

By Mr. McNair: Resolution concerning collection and distribution of copies of the Revised Code. Committee on Finance.

By Mr. Harper: Resolution defining the duty of the Governor with regard to the distribution of the act "for the complete re-organization of the State Government, and for other purposes," ratified February 1, 1866. Under a suspension of the rules, passed its several readings, and ordered to be engrossed.

By Mr. Hodnett: Resoluting restricting debate. Lies over under the rule.

By Mr. Hoke: Resolution concerning the suspension of the United States Land Tax. Referred to the committee on donation of Public Lands.

By Mr. Crawford: Resolution in favor of Jacob Siler, agent of the State for the collection of Cherokee Bonds. Referred to the Committee on Cherokee Lands.

By Mr. Smith, of Hertford: Bill further suspending the operation of the Statute of Limitations. Referred to the Committee on the Judiciary.

By Mr. Jenkins, of Warren: Bill in relation to the Judiciary. Ordered to be printed and referred to the Committee on the Judiciary.

By Mr. Manly: Bill supplemental to, and amendatory of, an act, ratified January 25, 1866, entitled "An act for the corporation government of the city, &c., of Newbern." Under

a suspension of the rules, passed its several readings and ordered to be engrossed.

By Mr. Burton: Bill to incorporate the Leaksville Male Academy, in the county of Rockingham, and to appoint the Trustees thereof. Referred to the Committee on Corporations.

The bill to authorize the Mayor and Commissioners of the town of Fayetteville to issue certificates of indebtedness and appoint assessors of taxables was taken up, the amendments of the Senate agreed to, and it informed thereof by message.

The calendar was then taken up, and the following bills, &c., coming up on their second reading, were severally disposed of as follows, viz:

Bill to incorporate the High Shoals Railroad Company. Passed its several readings, under a suspension of the rules, and ordered to be engrossed.

Senate bill to incorporate the Albemarle Steam Navigation Company. Passed its several readings, under a suspension of the rules, and ordered to be enrolled.

Bill to extend time for redemption of lands sold for taxes. Laid on the table for the present.

Senate bill to furnish the Revised Code to the clerks of the several counties not already supplied. Referred to the Committee on Finance.

Bill to perpetuate liens on Real Estate. Laid on the table for the present.

Bill to incorporate the English and American Wool and Vine Growing, Mining, Manufacturing and Agricultural Association in the United States. Passed second reading.

Senate resolution concerning the Public Square. Under a suspension of the rules, passed its several readings, and ordered to be enrolled.

Bill for the relief of Guardians. Tabled.

Bill to create an agent for the State, at Washington. Made the special order for Wednesday next, 11 o'clock.

Bill to amend chapter 114 Revised Code, entitled "Usury;"

Pending debate on which, the hour having arrived for going into Committee of the Whole, the order to that effect was, on motion of Mr. Smith, of Hertford, postponed until Thursday next, 12 o'clock.

The bill was then rejected,—yeas 42, nays 50; the yeas and nays being demanded by Mr. Kinney.

Those who voted in the affirmative, are:

Messrs. Arrington, Black, Cameron, Candler, Carson, Chadwick, Cox, Crawford, Dargan, Dickey, Everett, Faircloth, of Greene, Faircloth, of Wayne, Faison, Gaines, Garland, Gidney, Harper, Harrison, Hawes, Jenkins, of Gaston, Jenkins, of Warren, Judkins, Kenan, Lee, of Gates, Luke, Manly, Marler, McEachern, McIntosh, Moore, of Martin, Murphy, Newsum, Page, Rosebro', Russell, Shaw, Simmons, Smith, of Columbus, Smith, of Cumberland, Thigpen and Wheeler.

Those who voted in the negative are:

Messrs. Ashworth, Baxter, Beasley, Blair, Bonner, Bryson, Burgess, Burton, Caldwell, Craig, Davis, of Carteret, Farrow, Flythe, Furr, Hamilton, Henry, Hodnett, Holderby, Hoke, Horton, Houston, Hutchison, Jones, Kinney, Leigh, of Tyrrell, Logan, Matthews, McDonald, McGuire, McKay, McNair, Melson, Moore, of Chatham, Murrill, Niven, Nicks, Palmer, Paschall, Potter, Rayner, Smith, of Guilford, Smith, of Hertford, Scoggin, Teague, Trull, Waugh, Webb, Williams, Wilson and York.

On motion of Mr. Waugh, the vote, by which the foregoing bill failed to pass its second reading, was reconsidered, and the bill was then made the special order for to-morrow, 11 o'clock.

Received a message from the Senate, transmitting the following engrossed bills, and asking the concurrence of the House therein, viz:

Bill to amend the act of incorporation of the town of Clinton, in Sampson county; which, under a suspension of the

rules, passed its several readings and was ordered to be enrolled. And,

Bill concerning the North-Carolina Institution for the Deaf and Dumb and the Blind; which was referred to the Committee on Finance.

Also, a message announcing Messrs. Cowles, Cooper and Ferebee as the Senate branch of the Committee on Enrolled Bills for the week.

Also, transmitting a recommendation of magistrates for the county of Watauga; which was concurred in.

Received a message from his Excellency, the Governor, relative to the Cherokee Indians in this State, and also transmitting the resignation of W. W. Lenoir, Esq., as one of the Councillors of State; which were ordered to be sent to the Senate.

The calendar of bills, &c., on their third reading was taken up and they were disposed of as stated, viz:

Resolution making an appropriation for transcribing, &c., the records of the office of Secretary State. Passed third reading, but subsequently reconsidered, on motion of Mr. Smith, of Hertford, and replaced on file.

Bill restoring jury trials, in criminal cases, to the Courts of Pleas and Quarter Sessions of the State.

Mr. McKay moved to amend, by adding, at the end of sec. 1, the following:

"*Provided, however*, That the Justices of the Peace of the different counties, (a majority being present,) in their discretion may, or may not, accept the provisions of this act."

Which not prevailing, the bill then passed its third reading and was ordered to be engrossed.

Received a message from the Senate, proposing to refer the communication from his Excellency, the Governor, in regard to the Cherokee Indians, to a Joint Select Committee of two from the Senate and three from the House, and announcing Messrs. Keener and Gash as their branch of said Committee;

which was concurred in, and Messrs. Wilson, Crawford and Dickey announced as the committee on the part of the House.

Also, concurring in the recommendation of magistrates for the county of Wilson.

Also, asking concurrence in a proposition to refer an accompanying memorial from the Dismal Swamp Canal Company, to the Committee on Finance. Agreed to.

On motion of Mr. Simmons, the House adjourned until tomorrow morning 10 o'clock.

TUESDAY, FEBRUARY 6, 1866.

Sundry recommendations of magistrates for the counties of Jackson, Yancey, Mitchell, Cherokee, Clay and Alamance were submitted, approved and sent to the Senate for concurrence.

Mr. Chadwick submitted a memorial from citizens of Craven and Beaufort counties, praying for the erection of a new county out of parts thereof; which was read and referred to the Committee on Propositions and Grievances.

Mr. Manly, from the Committee on the Judiciary, reported favorably, with amendments, upon the bill "further suspending the operation of the statute of Limitations."

The resolution "restricting debate," offered on yesterday by Mr. Hodnett, and laid over under the rule of the House, coming up,

Mr. Baxter moved to lay the same on the table; which did not prevail.

The resolution was then rejected.

The following bills were introduced and severally disposed of as follows:

By Mr. Hoke: Bill for the relief of R. B. Paschall, former Sheriff of Chatham. Referred to the Committee on the Judiciary.

By Mr. Ferrell: Bill for the relief of W. H. High, former Sheriff of Wake. Same reference.

By Mr. Bryson: Bill to appoint a tax collector for the county of Jackson. Same reference.

By Mr. Garland: Bill (accompanied by a memorial,) to alter the county line between Mitchell and Yancey. Referred to the Committee on Propositions and Grievances.

By Mr. Hutchison: Bill to incorporate the Rudisil Gold Mining Company, in the county of Mecklenburg. Referred to the Committee on Corporations.

The calendar was then taken up, and the following bills, coming up on their second reading, were severally disposed of as stated, to-wit:

Bill to give further security to a widow for her year's provision. Under a suspension of the rules, passed its several readings, and ordered to be engrossed. And,

Bill to incorporate the Trustees of the General Assembly of the Presbyterian Church in the United States of America. Passed second reading.

The hour having arrived for the special order, viz: Bill to amend chap. 114, Revised Code, entitled "Usury," the same was taken up.

Mr. Waugh moved to amend, by striking out "ten," wherever it occurs in the bill, and inserting "seven;" which was not carried.

Mr. Waugh then moved to lay the bill on the table; which was rejected,—yeas 40, nays 55; the yeas and nays being demanded by Mr. Waugh.

Those who voted in the affirmative are:

Messrs. Ashworth, Blair, Burgess, Burton, Caldwell, Craig, Dalby, Davis, of Carteret, Flythe, Furr, Henry, Hodnett, Holderby, Hoke, Horton, Houston, Hutchison, Kinney, Matthews, McDonald, McGuire, McIntosh, McKay, McNair, Melson, Moore, of Chatham, Murrill, Niven, Nicks, Newsum, Palmer,

Paschall, Potter, Smith, of Guilford, Smith, of Hertford, Scoggin, Teague, Trull, Waugh and York.

And those who voted in the negative are:

Messrs. Arrington, Baxter, Beasley, Black, Bonner, Bryson, Cameron, Candler, Carson, Chadwick, Cowan, Cox, Crawford, Dargan, Dickey, Everett, Faircloth, of Green, Faircloth, of Wayne, Farrow, Faison, Gaines, Garland, Gidney, Hamilton, Harper, Harrison, Hawes, Hyman, Jenkins, of Gaston, Jenkins, of Warren, Jones, Joyner, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Logan, Luke, Manly, Marler, McAden, McEachern, Moore, of Alamance, Moore, of Martin, Murphy, Rosebro', Russell, Shaw, Smith, of Columbus, Smith, of Cumberland, Thigpen, Webb, Wheeler, Williams and Wilson.

Mr. Wheeler moved to amend, by striking out "ten," wherever it occurs in the bill, and inserting "eight;" which did not prevail,—yeas 41, nays 56; the yeas and nays being demanded by Mr. Wheeler.

Those who voted in the affirmative are:

Messrs. Ashworth, Blair, Blythe, Bonner, Bryson, Burgess, Caldwell, Coates, Craig, Crawford, Dickey, Farrow, Furr, Gidney, Hamilton, Harrison, Henry, Hoke, Horton, Hutchison, Jones, Kinney, Leigh, of Tyrrell, Logan, Matthews, McAden, McIntosh, McKay, Melson, Moore, of Alamance, Niven, Nicks, Potter, Rayner, Smith, of Guilford, Smith, of Hertford, Scoggin, Teague, Trull, Wheeler and York.

Those who voted in the negative are:

Messrs. Arrington, Beasley, Black, Burton, Cameron, Candler, Carson, Cowan, Cox, Dalby, Dargan, Davis, of Carteret, Everett, Faircloth, of Green, Faircloth, of Wayne, Faison, Ferrell, Flythe, Gaines, Garland, Harper, Hawes, Hodnett, Holderby, Houston, Hyman, Jenkins, of Gaston, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Luke, Manly, Marler, McDonald, McEachern, McGuire, McNair, Moore, of Chatham, Moore, of Martin, Murphy, Murrill, Newsum, Pal-

mer, Paschall, Rosebro', Russell, Shaw, Smith, of Columbus, Smith, of Cumberland, Thigpen, Waugh, Webb, Williams and Wilson.

The question then recurring upon the passage of the bill on its second reading, it was rejected,—yeas 43, nays 52; the yeas and nays being demanded by Mr. Hoke.

Those who voted in the affirmative are:

Messrs. Arrington, Beasley, Black, Cameron, Candler, Carson, Chadwiek, Cowan, Cox, Crawford, Dargan, Dickey, Everett, Faircloth, of Green, Faircloth, of Wayne, Faison, Gaines, Garland, Harper, Harrison, Hawes, Hyman, Jenkins, of Gaston, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Luke, Manly, Marler, McEachern, McIntosh, Moore, of Martin, Murphy, Newsum, Rosebro', Russell, Shaw, Smith, of Columbus, Smith, of Cumberland, Thigpen and Webb.

Those who voted in the negative are:

Messrs. Ashworth, Blair, Blythe, Bonner, Bryson, Burgess, Burton, Caldwell, Coates, Craig, Dalby, Davis, of Carteret, Farrow, Ferrell, Flythe, Furr, Gidney, Hamilton, Henry, Hodnett, Holderby, Hoke, Horton, Houston, Hutchison, Jones, Kinney, Leigh, of Tyrrell, Logan, McDonald, McGuire, McKay, McNair, Melson, Moore, of Alamance, Moore, of Chatham, Murrill, Niven, Nicks, Palmer, Paschall, Potter, Rayner, Smith, of Guilford, Smith, of Hertford, Scoggin, Teague, Trull, Waugh, Wheeler, Wilson and York.

On motion of Mr. Dargan, a message was sent to the Senate, proposing to vote forthwith for two Trustees of the University.

Received a message from the Senate, concurring in the recommendations of magistrates for the counties of Jackson, Yaney, Mitchell, Alamance, Clay and Cherokee.

Also, recommending additional magistrates for the counties of Cumberland, Gates and Iredell. Concurred in.

Also, transmitting an engrossed bill "for the benefit of the firemen of Wilmington;" which, under a suspension of the

rules, passed its several readings, and was ordered to be enrolled.

Also, concurring in the proposition to vote forthwith for two Trustees of the University.

Whereupon, the House proceeded to ballot, under the superintendence of Messrs. Kenan and Gaines.

After which, and before the result was announced, the House, on motion of Mr. Waugh, adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY, February 7, 1866.

Robert T. Campbell, member elect from the county of Iredell, appeared, produced his credentials, was qualified according to law, and took his seat.

Leave of absence for one week was granted to Mr. Flythe, and extension of leave to Mr. Simmons.

Additional recommendations of magistrates for the counties of Union and Cherokee were submitted, approved, and sent to the Senate for concurrence.

Mr. Logan, from the Committee on Cherokee Lands, reported favorably upon the bill "for the relief of Jacob Siler, Agent of the State for the collection of Cherokee bonds."

Mr. Hoke, from the Committee on Internal Improvements, reported adversely, for reasons stated, upon the bill "to establish a ferry on Hiwassie river."

Mr. Gaines, from the committee appointed on yesterday to superintend the election of two Trustees of the University, reported that the whole number of votes cast was 134,—necessary to a choice 68; that Mr. Jenkins had received 68, Mr. Hyman 60, Mr. Bynum 60, Mr. Hoke 52, Mr. Haughton 11, and all others 15; and that Mr. W. A. Jenkins, having received a majority of the whole number of votes cast, was duly elected. Which report was concurred in.

The following bills were introduced, and severally disposed of, as follows, viz:

By Mr. Hutchison: Bill to authorize the construction of a toll-bridge across the Catawba river, at or near the Rock Island Factory, between the counties of Mecklenburg and Gaston. Referred to the Committee on Internal Improvements.

By Mr. Cowan: Bill to incorporate the Bladen Land Company. Referred to the Committee on Corporations.

By Mr. Murrill: Bill to incorporate the Richlands Female Academy, in the county of Onslow. Under a suspension of the rules, passed its several readings, and ordered to be engrossed.

By Mr. Caldwell: Bill to legalize the transfer of registered bonds of this State to bearer. Referred to the Committee on Propositions and Grievances.

By Mr. McAden: Bill to amend an act entitled "An act to incorporate the town of Graham, in the county of Alamance." Referred to the Committee on Corporations.

By Mr. Marler: Bill for the relief of Michael Spainhour, late Tax Collector for the county of Burke. Referred to the Committee on the Judiciary.

On motion of Mr. Waugh, a message was sent to the Senate, proposing to vote at once for one Councillor of State, to fill the vacancy occasioned by the resignation of W. W. Lenoir, and announcing the following gentlemen as being in nomination, viz: Messrs. Jas. T. Morehead, Jr., G. W. Logan, Giles Mebane, N. A. McLean, Tyre Glenn, Jo. J. Davis, J. N. Cloud, J. C. McDowell, Chas. M. Stedman, R. F. Simonton and R. P. Dick.

The hour having arrived for the consideration of the special order, viz: the bill "To create a State Agent at Washington," the same was taken up.

Mr. Russell moved to postpone the bill indefinitely; which

motion prevailed,—yeas 67, nays 34; the yeas and nays being demanded by Mr. Waugh.

Those who voted in the affirmative are:

Messrs. Arrington, Ashworth, Baxter, Black, Blythe, Bonner, Bryson, Burgess, Caldwell, Campbell, Candler, Chadwick, Coates, Cowan, Cox, Crawford, Dalby, Dargan, Dickey, Everett, Faircloth, of Greene, Faircloth, of Wayne, Farrow, Ferrell, Foster, Furr, Gaines, Hamilton, Harper, Harrison, Hawes, Hodnett, Horton, Houston, Jenkins, of Gaston, Jones, Judkins, Kinney, Lee, of Gates, Leigh, of Tyrrell, Luke, Marler, McAden, McGuire, McNair, Moore, of Alamance, Moore, of Chatham, Moore, of Martin, Murrill, Niven, Nicks, Palmer, Paschall, Rosebro', Russell, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Smith, of Hertford, Scoggin, Teague, Trull, Waugh, Wheeler, Williams, Wilson and York.

Those who voted in the negative are:

Messrs. Allison, Beasley, Blair, Burton, Cameron, Carson, Craig, Davis, of Carteret, Dunn, Flythe, Garland, Gidney, Henry, Holderby, Hoke, Hutchison, Hyman, Jenkins, of Warren, Joyner, Kenan, Logan, Manly, Matthews, McDonald, McEachern, McIntosh, McKay, Melson, Murphy, Newsum, Shaw, Thigpen, Thompson and Webb.

On motion of Mr. Manly, a message was sent to the Senate, proposing to raise a Joint Select Committee of two on the part of the Senate, and three on the part of the House, to take into consideration the communication of Rev. Dr. Curtis, in relation to a catalogue of plants in North-Carolina, and report in the premises.

Received a message from the Senate, concurring in the recommendation of magistrates for the county of Cherokee, and refusing to concur in the proposition to ballot for Councillor of State.

Also, proposing to raise a Joint Select Committee of two from the Senate and three from the House of Commons, to enquire into the expediency of having the State printing and

binding done at the State office and bindery attached to the Deaf, Dumb and Blind Asylum. Concurred in, and Messrs. Allison, Arrington and McEachern designated as the committee on the part of the House.

Also, proposing to raise a Joint Select Committee of two from the Senate and three from the House, to take into consideration the propriety of collecting the papers, &c., belonging to the Quartermaster's, Commissary's and Adjutant General's offices of the State, and placing the same in the State Capitol. Concurred in, and Messrs. Waugh, Kenan and Smith, of Cumberland, announced as the House branch of the Committee.

Also, recommending the appointment of sundry magistrates for the counties of Halifax, Duplin and Johnston; which were concurred in.

Also, transmitting an engrossed bill "In relation to Constables and other officers," and asking the concurrence of the House therein. Referred to the Committee on the Judiciary.

The Calendar was then taken up, and the following bills, coming up on their second reading, were disposed of as stated, viz:

Bill to authorize the Banks of the State to take stock in National Banks. Made special order for Tuesday, 13th inst., 12 oclock, M.

Bill further suspending the operation of the Statute of Limitations. The amendment recommended by the committee having been adopted, the bill passed its second reading.

Bill to allow persons of Indian blood to bear testimony in controversies at law and in equity. Made the special order for Wednesday, 14th inst., 12 o'clock, M.

Resolution in favor of A. W. Fraps. Under a suspension of the rules, passed its several readings and ordered to be engrossed.

And the following bills, &c., coming up on their third reading, were disposed of as follows, viz:

Bill to incorporate the English and American Vine and Wool Growing, Mining, Manufacturing and Agricultural Association in the United States. Passed and ordered to be engrossed.

Bill to incorporate the Trustees of the General Assembly of the Presbyterian Church of the United States of America. Amended, on motion of Mr. Hutchison, by striking out the words "of America," wherever they occur, and passed and ordered to be engrossed.

Resolution providing for transcribing, &c., certain records in the office of Secretary of State. Laid on table for present.

On motion of Mr. Wilson, a message was sent to the Senate, proposing to ballot at once for a Trustee of the University. And,

The Senate concurring, the House proceeded to ballot, under the superintendance of Messrs. Kenan and Gaines.

Mr. Smith, of Hertford, from the Committee on Finance, to to whom was referred the memorial of the Trustees of the University, by leave, reported back a resolution entitled a "Resolution for the relief of the University of North-Carolina;" which, being read,

Mr. Smith moved that the rules be suspended and the resolution put upon its several readings; which was carried.

Mr. Waugh moved to amend, by inserting, after the word "University," the words "and $50,000 for the use of the Common Schools of the State."

Mr. Crawford moved to amend the amendment by inserting "$200,000" in lieu of "$50,000;" which did not prevail.

The amendment was then rejected,—yeas 29, nays 67; the yeas and nays being demanded by Mr. Waugh.

Those who voted in the affirmative, are:

Messrs. Blair, Blythe, Bryson, Caldwell, Campbell, Candler, Carson, Crawford, Davis, of Carteret, Dickey, Everett, Horton, Jones, Kinney, Matthews, McAden, McDonald, McIntosh,

McKay, Moore, of Alamance, Murrill, Paschall, Rosebro', Scoggin, Teague, Waugh, Webb, Wheeler and York.

Those who voted in the negative, are:

Messrs. Allison, Arrington, Ashworth, Baxter, Beasley, Black, Bonner, Burgess, Burton, Cameron, Chadwick, Coates, Cowan, Cox, Craig, Dalby, Dargan, Faircloth, of Greene, Faircloth, of Wayne, Faison, Flythe, Foster, Furr, Gaines, Hamilton, Harper, Harrison, Hawes, Henry, Hodnett, Holderby, Hoke, Houston, Hyman, Jenkins, of Gaston, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Logan, Luke, Manly, Marler, McEachern, McGuire, McNair, Melson, Moore, of Chatham, Moore, of Martin, Murphy, Niven, Nicks, Newsum, Rayner, Russell, Shaw, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Smith, of Hertford, Thigpen, Thompson, Trull, Williams and Wilson.

The resolution then passed its second reading,—yeas 62, nays 34; the yeas and nays being demanded by Mr. York.

Those who voted in the affirmative are:

Messrs. Allison, Baxter, Beasley, Black, Bonner, Burgess, Burton, Caldwell, Cameron, Candler, Chadwick, Cowan, Cox, Dargan, Dunn, Faircloth, of Green, Faircloth, of Wayne, Faison, Flythe, Foster, Gaines, Harper, Hawes, Henry, Holderby, Hoke, Houston, Hutchison, Hyman, Jenkins, of Warren, Joyner, Judkins, Kenan, Kinney, Lee, of Gates, Leigh, of Tyrrell, Luke, Manly, Marler, McAden, McDonald, McGuire, McIntosh, McKay, McNair, Melson, Moore, of Martin, Murphy, Murrill, Niven, Newsum, Rayner, Russell, Shaw, Smith, of Columbus, Smith, of Cumberland, Smith, of Hertford, Thigpen, Thompson, Webb, Williams and Wilson.

Those who voted in the negative are:

Messrs. Arrington, Ashworth, Blair, Blythe, Bryson, Campbell, Carson, Coates, Craig, Crawford, Dalby, Davis, of Carteret, Dickey, Everett, Furr, Gidney, Hamilton, Harrison, Hodnett, Horton, Jenkins, of Gaston, Jones, Matthews, Mc-

Eachern, Moore, of Chatham, Nicks, Palmer, Paschall, Rosebro', Scoggin, Teague, Trull, Waugh and York.

The resolution then further passed its third reading, and was ordered to be engrossed.

On motion of Mr. Jenkins, of Gaston, the House adjourned until to-morrow morning, 10 o'clock.

THURSDAY, February 8, 1866.

Additional recommendations of magistrates for the counties of Iredell, Greene, Burke and Rockingham were submitted, approved and sent to the Senate for concurrence.

The Speaker announced the resignation of Neill McKay, member of this House from the County of Harnett, to take effect on the 10th inst., and directed a writ of election to be issued for Monday, 19th inst., to fill the vacancy.

The Speaker designated Mr. Joyner as a member of the Committee on the Asylum for the Deaf, Dumb and the Blind, to supply the vacancy occasioned by the resignation of Mr. McKay.

Mr. Smith, of Hertford, from the Committee on Finance, reported back the bill "concerning the North Carolina Institute for the Deaf, Dumb and Blind," with the recommendation that it do pass.

Mr. Hutchison, from the Committee on Internal Improvements, reported favorably upon the bill "to authorize the construction of a toll-bridge across the Catawba river, at or near the Rock Island Factory, between the counties of Mecklenburg and Gaston."

Mr. Murrill, from the Committee on Propositions and Grievances, reported favorably upon

Bill to legalize the transfer of registered bonds of this State to bearer; and

Bill to alter the county line between the counties of Mitchell and Yancey.

Mr. Murrill, from the same Committee, to whom was referred the memorial of citizens of Beaufort and Craven counties, praying the erection of a new county out of parts thereof, reported that it is inexpedient, at present, to grant the prayer of the memorialists; whereupon, the Committee was discharged from the further consideration of the subject.

Mr. Gaines, from the Committee appointed on yesterday to superintend the election of a Trustee of the University, reported that the whole number of votes cast was 135,—necessary to a choice 68; that Mr. Bynum received 63, Mr. Hyman 42, Mr. Hoke 29, and Mr. Jones 1; and that there was no election. Which report was concurred in.

The following resolution and bills were introduced and respectively referred to the Committee on the Judiciary, viz:

By Mr. Murphy: Resolution directing said committee to take into consideration so much of the Governor's message as relates to the Attorney General.

By Mr. Candler: Bill in relation to Landlords.

By Mr. Garland: Bill to prevent obstruction to the passage of fish in Caney river, in the county of Yancey.

Mr. Waugh offered the following resolution, which was adopted, viz:

Resolved, That the Governor be requested to inform this General Assembly, whether, from his correspondence with the manufacturers of artificial limbs, or otherwise, he has satisfactory information whether an artificial arm is of any utility or merely ornamental. Also, what the artificial arm will cost, and the probable number to be supplied under the resolution of this General Assembly, ratified on the 23d January last.

The calendar was then taken up, and the following bills, coming up on their second reading, were severally disposed of, as stated, viz:

Bill to establish a ferry on Hiwassie river. Tabled.

Bill for the relief of Jacob Siler, Agent of the State for the collection of Cherokee bonds. Under a suspension of the rules passed its several readings, and ordered to be engrossed.

Senate bill "concerning the North-Carolina Institute for the Deaf, Dumb and the Blind." Passed its several readings, under a suspension of the rules, and ordered to be enrolled.

The bill, "further suspending the operation of the Statute of Limitations," coming up on its third reading, was passed, and ordered to be engrossed.

The hour having arrived, the House resolved itself into Committee of the Whole on the "Freeman's Code,"—Mr. Rayner in the chair. After some time time spent therein, the committee rose, and Mr. Rayner, on its behalf, reported progress, and asked leave to sit again to-morrow at 11 o'clock. And leave was granted accordingly.

Received a message from the Senate, recommending the appointment of magistrates for the counties of Moore, Nash, Cumberland and Pasquotank; which were concurred in and the Senate informed thereof by message.

Also, a message concurring in the recommendation of magistrates for the county of Union.

Also, a message concurring in the proposition to raise a Joint Select Committee to take into consideration the communication of Rev. Dr. Curtis, in relation to a catalogue of the plants of North-Carolina, and announcing Messrs. Ferebee and Carter as the Senate branch of said committee.

Whereupon, the Speaker designated Messrs. Cowan, Hyman and Webb, as the committee on the part of the House.

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

FRIDAY, FEBRUARY 9, 1866.

Prayer by Rev. Dr. Smedes.

The Speaker announced Mr. McNair as a member of the Committee on Education, to fill the vacancy occasioned by the resignation of Mr. Sharpe; and Mr. Campbell as a member of the Committee on Propositions and Grievances and Claims, respectively, in lieu of Mr. Sharpe, resigned, and Mr. Hanrahan, deceased.

Leave of absence until Tuesday next was granted to Messrs. Jones, Teague and Hodnett, and, until Wednesday next, to Mr. Jenkins, of Gaston.

Additional recommendations of magistrates for the counties of Harnett and Alexander were submitted, approved and sent to the Senate for concurrence.

Mr. Manly, from the Committee on the Judiciary, to whom were referred the memorials of W. A. Blount, Administrator, and Robert S. Ledbetter, respectively, concerning the loss of certain State bonds, reported back the same, and asked, for reasons stated, to be discharged from their further consideration; which was so ordered.

Mr. Manly, from the same committee, reported favorably, with amendments, upon

Bill in relation to landlords;

Unfavorably upon

Resolution authorizing the Governor to appoint Commissioners to prepare a digest of the laws passed since the adoption of the Revised Code, &c.; and favorably upon

Senate bill in relation to constables and other officers.

Mr. Blackmer, from the Committee on Corporations, reported favorably upon

Bill to incorporate the Rudisil Gold Mining Company;

Bill to incorporate the Leaksville Male Academy;

Bill to amend an act to incorporate the town of Graham, in Alamance county; and

Bill to incorporate the Bladen Land Company.

Mr. Smith, of Hertford, from the Committee on Finance, reported favorably, with amendments, upon the Senate resolution to furnish the Revised Code to clerks of the several courts, not already supplied.

Mr. Wheeler, from the Committee on Donation of Public Lands, reported favorably upon the resolutions accepting a donation of lands by the Congress of the United States, under the act approved July 2, 1862.

Mr. Baxter, from the Committee on Swamp Lands, to whom was referred a resolution of enquiry, directing them to ascertain the amount and value of the Swamp Lands belonging to the Literary Fund, submitted a report thereon; which was ordered to be printed.

Mr. Smith, of Hertford, from the Joint Select Committee, to whom was referred the report of the Commissioners of the Sinking Fund, submitted a report thereon, accompanied by the following resolution, viz:

Resolved, That the Commissioners of the Sinking Fund, for the ability, faithfulness and integrity with which they have discharged their onerous and responsible duties, retain the undiminished confidence of the General Assembly.

Which was adopted, and the report and resolution ordered to be printed.

The following resolution and bill were introduced and respectively referred to the committee on the Judiciary, viz:

By Mr. Dunn: Resolution instructing said committee to enquire into the policy and expediency of perfecting and establishing a Mechanics' Lien Law; and

By Mr. Cox: Bill in favor of sureties of J. R. White, deceased, late sheriff of Perquimans county.

The bill to alter the county line between the counties of Mitchell and Yancey, coming up on its second reading, passed the same.

The hour having arrived, the House resolved itself into Committee of the Whole on "Freedmen's Code,"—Mr. Mc-

Aden in the chair,—and, after some time spent therein, the committee rose, and Mr. McAden, on its behalf, reported back to the House, with amendments, the "bill concerning Negroes, Indians, and persons of color, or of mixed blood," and recommended that it do pass. Whereupon, said bill was, on motion, referred to the Committee on the Judiciary.

Received a message from the Senate, transmitting a communication from the Comptroller of the State, with a proposition to refer the same to the committee of Conference on the salary of Comptroller. Concurred in.

The following resolution and bills were introduced by leave, viz:

By Mr. Faison: Resolution proposing to send a message to the Senate, asking for a Joint Select Committee to examine into the condition of the public business, and report when an adjournment can be effected without detriment to the same.

By Mr. Hoke: Bill to enable the Banks of the State to close their business. Ordered to be printed and referred to the Committee on Finance.

By Mr. Russell: Bill to secure creditors in certain cases. Referred to the Committee on the Judiciary.

Mr. Caldwell, from the special committee, to whom was referred the bill "authorizing the appointment of boards of arbitration," &c., by leave, reported back a substitute for the same, entitled "A bill to authorize the reference of disputes by consent of the parties;" which, on motion of Mr. Waugh, was ordered to be printed, and made the special order for Thursday, 15th inst., 11 o'clock.

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

SATURDAY, FEBRUARY 10, 1866.

Prayer by Rev. Mr. Hudson.

Leave of absence until Tuesday next was granted to Mr. Manly.

Mr. Faircloth, of Wayne, was announced as a member of the Judiciary Committee, in place of Mr. McKay, resigned.

Additional recommendations of magistrates for the counties of Randolph, Beaufort, and Rowan were submitted, approved and sent to the Senate for concurrence.

Received a message from the Senate, concurring in the recommendation of Justices for the counties of Harnett, Alexander and Caswell.

Also, transmitting other recommendations for the county of Caswell; which were concurred in.

Mr. Marler presented a memorial from citizens of Mitchell county, concerning the county-seat of said county; which was referred to the Committee on Propositions and Grievances.

Mr. Holberby, from the Committee of Conference of the two Houses, relative to their disagreement on the bill "to repeal an act establishing the office of Auditor," submitted a report, recommending that the Senate concur in the House amendment to the bill, to wit: Strike out that part of the bill, which allows the Comptroller a Clerk.

The following bills were introduced, and severally referred as stated, viz:

By Mr. Smith, of Hertford: Bill improving the laws of evidence. Ordered to be printed and referred to the Committee on the Judiciary.

By Mr. Allison: Bill to incorporate Stokes Lodge, No. 32, F. & A. Masons. Corporations.

By Mr. Craig: Bill to incorporate Mystic-tie Lodge, No. 237, F. & A. Masons. Same reference.

By Mr. Holmes: Bill to incorporate Union Mining Co., in Rowan county. Same reference.

By Mr. Logan: Bill for the relief of Geo. M. Green, Sheriff of Cleveland county. Judiciary.

By Mr. Cowan: Bill to repeal so much of sec. 20 of an act "to change the jurisdiction of the Courts and the rules of pleading therein," ratified Sept. 11, 1861, as requires executors to give security. Same reference.

Received a message from the Senate, refusing to concur in the proposition to raise a Joint Select Committee upon the subject of adjournment.

The calendar was then taken up, and the following bills, etc., coming up on their second reading, were severally disposed of as stated, viz:

Senate bill "concerning constables and other officers." Under a suspension of the rules, passed its several readings, and ordered to be enrolled.

Bill in relation to landlords. Re-committed to the Judiciary Committee.

Bill to incorporate the Bladen Land Company. Passed second reading.

Bill to amend an act "to incorporate the town of Graham." Passed second reading.

Bill to incorporate the Leaksville Male Academy. Under a suspension of the rules, passed its several readings and ordered to be engrossed.

Bill to incorporate the Rudisil Gold Mining Company. The amendments of the Committee were adopted, and passed second reading.

Resolution authorizing the Governor to appoint a Commission to prepare a digest of laws, &c. Tabled.

Senate bill to furnish copies of the Revised Code to Clerks, &c., not already supplied. Amendment suggested by Committee adopted, and passed second reading.

Resolutions accepting donation of public lands, under act of Congress, ratified July 2, 1862. Passed several readings, under a suspension of the rules, and ordered to be engrossed.

Bill to punish persons pursuing and injuring horses, and other live stock, with intent to steal them. Passed second reading.

Bill to prevent wilful trespasses on lands, and stealing any kind of property therefrom. Passed second reading. And,

Bill to punish vagrancy. On motion of McNair, this bill, and all the others of the series, reported by the Commission upon the subject of Freedmen, were referred to the Judiciary Committee.

The bill "to alter the county line between Mitchell and Yancey counties," coming up on its third reading, passed the same, and was ordered to be engrossed.

On motion of Mr. Craig, a message was sent to the Senate, proposing to vote forthwith for a Councillor of State, and announcing that Messrs. J. M. Cloud and J. C. McDowell were withdrawn from nomination.

The Senate concurring, the House proceeded to vote as follows, under the superintendence of Messrs. Harrison and Stilly, viz:

For Mr. Simonton—Messrs. Allison, Ashworth, Barnett, Beasley, Black, Blackmer, Blair, Bryson, Burton, Campbell, Cameron, Candler, Chadwick, Cox, Craig, Crawford, Dalby, Dargan, Davis, of Carteret, Dunn, Faircloth, of Wayne, Furr, Gidney, Harper, Hawes, Hoke, Holmes, Horton, Hyman, Joyner, Kinney, Lee, of Gates, Leigh, of Tyrrell, Logan, Luke, Lyon, Marler, Matthews, McGuire, McIntosh, Moore, of Martin, Mott, Murphy, Murrill, Niven, Page, Paschall, Rosebro', Smith, of Columbus, Trull, Waugh, Webb, Wheeler, Williams, Wilson and York—56.

For Mr. Logan—Messrs. Blythe, Carson, Dickey, Garland, Hamilton, Jenkins, of Gaston, Melson, Palmer, Stilley, Scoggin and Thompson—11.

For Mr. Davis—Messrs. Bonner, Foster, Jenkins, of Granville, Judkins, Smith, of Hertford, and Yellowley—6.

For Mr. Morehead—Messrs. Caldwell, Holderby, Houston, Newsum, Smith, of Guilford, and Thigpen—6.

For Mr. Mebane—Messrs. Farrow, Gaines and Harrison—3.

For Mr. McLean—Messrs. McNair, Shaw and Smith, of Cumberland—3.

For Mr. Glenn—Messrs. Faison and Nicks—2.

On motion of Mr. Wilson, a message was sent to the Senate, proposing to ballot forthwith for a Trustee of the University, and stating that the name of J. H. Hyman was withdrawn from nomination.

Mr. Stilly, from the Committee appointed to superintend the election of a Councillor of State, reported that the whole number of votes cast was 122,—necessary to a choice 62; that Mr. Simonton had received 62, Mr. Morehead 17, Mr. Logan 14, Davis 12, and all others 17; and that Mr. Simonton, having received a majority, was duly elected. Which report was concurred in.

Received a message from the Senate, refusing to concur in the proposition to vote forthwith for Trustee of the University.

On motion of Mr. Waugh, the House adjourned until Monday morning, 10 o'clock.

MONDAY, February 12, 1866.

Prayer by Rev. Mr. Atkinson.

Leave of absence for one day was granted to Mr. Caldwell.

The Speaker announced the following gentlemen as constituting the Committee on Enrolled Bills for the week, viz: Messrs. Stilly, Jenkins, of Gaston, Blythe, Cox and Crawford.

Additional recommendations of magistrates for the counties of Edgecombe, Union and Brunswick were submitted, approved, and sent to the Senate for concurrence.

Mr. Ashworth presented a memorial from Justices of the

Peace of Randolph county, praying the repeal of certain portions of the late Revenue Law, which was ordered to be sent to the Senate, with a proposition to refer to the Committee on Finance.

Mr. McAden, from the Committee on Salaries and Fees, reported back a bill entitled a "Bill to regulate Salaries and Fees;" which was, on motion, ordered to be printed.

Mr. Holderby, from the Committee on Finance, reported favorably upon the Senate bill in favor of Drewry King. Passed second reading.

The following resolution and bills were introduced, and severally disposed of, as follows, viz:

By Mr. Gaines: Resolution concerning the Rules of Order of this House. Referred to the committee on Propositions and Grievance.

By Mr. Dickey: Bill to incorporate the Hiwassie Turnpike Company. Referred to the Committee on Internal Improvements.

By Mr. Farrow: Bill to establish a Board of Commissioners of Navigation. Under a suspension of the rules, passed its several readings, and ordered to be engrossed.

By Mr. Murrill: Bill to consolidate and amend the several acts heretofore passed for the better regulation of the town of Jacksonville, in Onslow county. Under a suspension of the rules, passed its several readings, and ordered to be engrossed.

By Mr. Davis, of Carteret: Bill to repeal section 17 of an act of 1825, "for the better regulation of the town of Beaufort. Under a suspension of the rules, passed its several readings, and ordered to be engrossed.

By Mr. Jenkins, of Warren: Bill concerning assignments. Ordered to be printed and referred to Committee on Judiciary.

The calendar was then taken up, and the following bill coming up on its second reading, passed the same, viz:

Bill to establish a Toll-bridge across the Catawba river, at or near Rock Island Factory.

And the following, coming up on their third reading, were severally passed, and ordered to be engrossed, viz:

Bill to incorporate the Bladen Land Company;

Bill to amend an act to incorporate the town of Graham; and

Bill to incoporate the Rudisil Gold Mining Company.

The Senate bill providing for distribution of copies of the Revised Code to Clerks, &c., not already supplied, passed its third reading, and was sent to the Senate for concurrence in the amendments heretofore adopted.

Mr. Thigpen moved that a message be sent to the Senate proposing to vote forthwith for a Trustee of the University; which was so ordered,—but the Senate subsequently refused to concur.

Received a message from the Senate, refusing to concur in the House amendments to the bill "providing for distribution of copies of the Revised Code to Clerks, &c., not already supplied," proposing a Committee of Conference relative to the disagreement, and announcing Messrs. Ferebee and Gash as the Senate branch of said committee. The House concurred, and Messrs. Holmes and Yellowley were designated as the committee on the part of the House.

Also, a message agreeing to the recommendations of magistrates for the counties of Edgecombe, Beaufort and Brunswick.

Also, transmitting sundry recommendations for Justices for the counties of Hertford, Duplin and Union; which was concurred in.

Also, announcing Messrs. Boner, Gash and Wilson as the Senate branch of the Committee on Enrolled Bills for the week.

Also, announcing their concurrence in the House amendments to the engrossed bill, entitled "A bill to repeal an act to establish the office of Auditor of Public Accounts." So the bill was ordered to be enrolled.

Also, a message announcing that the Senate had passed the

engrossed bill to amend an act to incorporate the Tuckasegee and Keowee Turnpike Company, and asking the concurrence of the House in the same. Concurred in, and the Senate informed thereof by message.

Also, transmitting an engrossed bill "to prevent the sale of spirituous liquors in the town of Salem;" which was read and placed on file.

A communication was received from Messrs. R. W. Allison, W. H. Wheeler, A. H. Davis and A. D. McLean, Directors of the Lunatic Asylum, tendering their resignation as such; which was read and ordered to be transmitted to the Senate.

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

TUESDAY, February 13, 1866.

Prayer by Rev. Mr. Cobb.

Additional recommendations of magistrates for the counties of Johnston, Surry and Macon were submitted, approved and sent to the Senate for concurrence.

A communication was received from Jas. Keener, one of the Directors of the Lunatic Asylum, tendering his resignation as such; which was ordered to be transmitted to the Senate.

Mr. Webb presented a memorial from certain Justices of Orange county, praying a reasonable compensation to magistrates for their services: which was referred to the Committee on Propositions and Grievances.

Mr. Bryson, from the Committee on Internal Improvements, reported favorably, with amendments, upon the bill to incorporate the Hiwassie Turnpike Company.

Mr. Blackmer, from the Committee on the Judiciary, reported favorably, with amendments, upon

Bill to secure to agricultural labors their pay in kind;

Bill to punish persons pursuing and injuring horses and other live stock, with intent to steal them;

Bill to punish vagrancy; and

Bill to repeal so much of sec. 20 of an act ratified Sept. 11, 1861, entitled "an act to change the jurisdiction of the courts and the rules of pleading therein," as requires executors to give security.

Favorably upon the following:

Bill more effectually to secure the maintenance of bastard children, and the payment of fines and costs on conviction in criminal cases;

Bill to prevent enticing servants from fulfilling their contracts or harboring them; and

Bill to prevent wilful trespasses on lands and stealing any kind of property therefrom.

And adversely upon the bill to secure creditors in certain cases.

Mr. Manly, from the Committee on the Judiciary, reported unfavorably upon

Bill to prevent obstructions to the passage of fish in Caney river;

Bill to appoint a tax collector for the county of Jackson; and

Memorial of Benj. Matthews, of the county of Johnston.

Mr. Manly, from the same committee, to whom was referred so much of the Governor's message as relates to the Attorney General, reported that it is inexpedient, at the present time, to take action in the premises.

Mr. Blackmer, from the Committee on Corporations, reported favorably, with amendments, upon

Bill to incorporate the Union Mining Company;

And favorably upon

Bill to incorporate Mystic-tie Lodge, No. 237, Free and Accepted Masons; and

Bill to incorporate Stokes Lodge, No. 32, Free and Accepted Masons.

Mr. Waugh, from the Committee on the Stay Law, reported adversely to the bill to regulate pleadings in the courts of law of this State.

The following resolutions and bills were introduced and severally disposed of as follows, viz:

By Mr. Holderby: Resolution authorizing the Public Treasurer to pay traveling expenses, in certain cases, of citizens who may be entitled to artificial limbs under the act of this General Assembly. Referred to Committee on Finance.

By Mr. Blythe: Resolution relating to Evening Sessions of this House. Lies over under the rules.

By Mr. McNair: Bill for the relief of Executors, Administrators, Trustees, Guardians, and others, acting in a fiduciary capacity. Referred to Committee on Judiciary.

By Mr. Waugh: Bill in favor of William Haymore, sheriff of Surry county. Filed.

By Mr. Furr: Bill to establish a Homestead Freehold. Referred to the Committee on the Judiciary.

By Mr. Cox: Bill to empower the Courts of Pleas and Quarter Sessions to authorize executors and administrators to sell for cash. Judiciary.

Received a message from his Excellency, the Governor, in reply to a resolution of the House requesting certain information relative to the procurement of artificial limbs; which was ordered to be sent to the Senate.

Also, transmitting a communication from the Public Treasurer, relative to place of deposit of State monies; which was ordered to be sent to the Senate, with a proposition to refer to the Committee on Finance.

The following bills, coming up on their second reading, were severally disposed of as follows:

Senate bill to prevent the sale of spirituous liquors in the town of Salem. Referred to Committee on the Judiciary.

Bill to legalize the transfer of registered bonds of this State to bearer. Passed.

Mr. Murrill announced, in appropriate terms, the death, in this City, of Isaac N. Sanders, Senator from the county of Onslow.

Whereupon, on motion of Mr. Manly, the House, as a tribute of respect to the memory of the deceased, adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY, February 14, 1866.

Received a message from the Senate, concurring in the proposition to refer the memorial of Justices of the Peace of the county of Randolph to the Joint Committee on Finance.

Also, transmitting a recommendation of magistrates for the county of Hyde; which was concurred in.

Mr. Hoke, from the Committee on Internal Improvements, to whom were referred sundry bills for the relief of Sheriffs, &c., with the enquiry whether said bills were of a public or private nature, submitted the following report, viz:

"After investigation, a majority of the Committee are of opinion, that such acts are public acts, and will not therefore violate 5th clause, article 1, of the Constitution of the State. The Committee are of opinion that such bills, when passed, will fall under that class of acts denominated 'public local acts.'

"It is difficult to distinguish between public and private acts,—to point out where the one ends and the other begins. But the Constitution of the State, in requiring public notice to be given, of an intention to apply for the passage of a private law, intended to guard against any legislation which would impair the rights of individuals unheard and confer privileges on the applicants for such laws. These bills do not conflict with such intention. They impair the right of no

one. They simply amend the law relative to the Sheriffs, which before was a public law. A privilege only is granted to the officer. Rail Road charters, Canal and Turnpike Road charters are public local laws. And, with such acts, a majority of the Committee think may be classed acts for the relief of Sheriffs. All of which is respectfully submitted," &c.

Mr. Manly, from the Committee on the Judiciary, reported favorably, with amendments, upon

Bill for relief of John A. Oates, Sheriff of Sampson;

Bill for the relief of W. N. Perkins, late Tax Collector of Pitt county;

Bill to empower Ro. McFarland, late Sheriff of Polk county, to collect arrears of taxes;

Bill in favor of J. N. Benners, and others, of Haywood county;

Bill in favor of W. H. High, late Sheriff of Wake;

Bill in favor of Jesse B. Lee, late Sheriff of Currituck Co.;

Bill for relief of Hiram Hunter, former Sheriff of Madison county;

Bill for relief of R. B. Paschall, late Sheriff of Chatham county;

Bill for relief of Michal Spainhour, late Tax Collector of Burke county; and

Bill in favor of the sureties of J. R. White, late Sheriff of Perquimans county.

Mr. Murrill, from the Committee on Propositions and Grievances, to whom was referred a memorial from the citizens of Mitchell county, relative to the county-seat of the same, asked to be discharged from the further consideration of the subject; which was so ordered.

Mr. Waugh, from the Select Committee on the Stay Law, reported unfavorably upon the bill "to consolidate the acts relating to the Courts, and for other purposes."

The following resolutions and bills were introduced, and severally disposed of, as stated, viz:

By Mr. Murphy: Resolution instructing the Judiciary Committee to enquire what relief, if any, can be afforded Administrators, Executors, Guardians and Trustees, who received Confederate money or invested in Confederate bonds. Referred accordingly.

By Mr. Ferrell: Resolution in favor of Charles Keuster & Brother. Referred to Committee on Claims.

By Mr. Cowan: Bill to incorporate the inhabitants of the town of Wilmington. Referred to the Committee on Corporations.

By Mr. Hall: Bill for relief of Culpeper Austin, Sheriff of Union county. Judiciary.

By Mr. Webb: Bill to incorporate "Little River Select School," in the county of Orange. Filed.

The resolution relative evening to sessions of this House, introduced on yesterday, was, on motion of Mr. Waugh, laid on the table.

Received a message from the Senate, transmitting a recommendation of magistrates for the county of Yadkin; which was, on motion of Mr. Nicks, laid on the table.

Also, a message transmitting an engrossed bill, entitled a "bill to incorporate Transylvania Seminary, in Transylvania county," and asking the concurrence of the House in the same. Placed on file.

The calendar was then taken up, and the bill "to regulate salaries and fees" coming up on its second reading,

Mr. Blackmer moved to amend, by inserting "eighteen hundred dollars," as the salary of the Private Secretary of the Governor, in lieu of "one thousand dollars."

Mr. Baxter offered the following, as a substitute for the bill; which did not prevail:

"*Be it enacted, &c.*, That, from and after the ratification of this act, the Governor of the State shall receive, as his salary, the sum of $4000 per annum."

The question recurring upon the amendment of Mr. Black-

mer, it was lost,—yeas 3, nays 95; the yeas and nays being demanded by Mr. Waugh.

Those who voted in the affirmative are:

Messrs. Blackmer, Cowan and Dargan.

Those who voted in the negative, are:

Messrs. Allison, Ashworth, Barnett, Baxter, Beasley, Black, Blythe, Bryson, Burgess, Burton, Campbell, Caldwell, Cameron, Candler. Carson, Chadwick, Coates, Craig, Crawford, Dalby, Davis, of Carteret, Davis, of Halifax, Dickey, Faircloth, of Wayne, Farrow, Faison, Flythe, Furr, Gaines, Garland, Gidney, Hamilton, Harper, Harrison, Henry, Hodnett, Holderby, Hoke, Holmes, Horton, Houston, Hutchison, Hyman, Jenkins, of Gaston, Jenkins, of Granville, Jenkins, of Warren, Jones, Joyner, Judkins, Kenan, Kinney, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Lyon, Manly, Marler, Matthews, McAden, McEachern, McGuire, McIntosh, McNair, Melson, Moore, of Alamance, Moore, of Chatham, Moore, of Martin, Murphy, Murrill, Niven, Nicks, Palmer, Paschall, Potter, Rayner, Rosebro', Russell, Shaw, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Smith, of Hertford, Scoggin, Teague, Thigpen, Thompson Trull, Waugh, Webb, Williams, Wilson, Yellowley and York.

Mr. Hoke moved to amend by striking out "four thousand dollars," as the salary of the Governor, and inserting "three thousand" in lieu thereof; which was adopted,—yeas 70, nays 32; the yeas and nays being demanded by Mr. Waugh.

Those who voted in the affirmative are:

Messrs. Allison, Ashworth, Beasley, Black, Blair, Blythe, Bryson, Burgess, Burton, Caldwell, Candler, Carson, Coates Craig, Crawford, Dalby, Davis, of Carteret, Dickey, Farrow, Flythe, Furr, Garland, Gidney, Hamilton, Harrison, Henry, Hodnett, Holderby, Hoke, Houston, Hutchison, Jenkins, of Gaston, Jenkins, of Granville, Jenkins, of Warren, Jones, Judkins, Kinney, Lee, of Gates, Leigh, of Tyrrell, Logan, Lyon, Manly, Marler, McEachern, McGuire, McNair,

Melson, Moore, of Chatham, Moore, of Martin, Murphy, Murrill, Niven, Nicks, Palmer, Paschall, Potter, Rayner, Rosebro', Smith, of Columbus, Smith, of Guilford, Stilley, Scoggin, Teague, Thigpen, Thompson, Trull, Waugh, Webb, Williams and York.

Those who voted in the negative are:

Messrs. Barnett, Baxter, Blackmer, Cameron, Chadwick, Cowan, Cox, Dargan, Davis, of Halifax, Dunn, Faircloth, of Wayne, Faison, Foster, Harper, Hawes, Holmes, Horton, Hyman, Joyner, Kenan, Lucas, Luke, McAden, McIntosh, Moore, of Alamance, Newsum, Russell, Shaw, Smith, of Cumberland, Smith, of Hertford, Wheeler and Yellowley.

Mr. McAden moved further to amend, by inserting after the word "business," in the 12th line of the bill, the following:

"The *per diem* of the members of the General Assembly shall be three dollars; and all laws and clauses of laws, coming in conflict with this section, be and the same are hereby repealed."

Pending discussion upon which amendment, the hour having arrived for the consideration of the special order, to wit: "The bill to allow persons of Indian blood to bear testimony in controversies at law and in equity," the same was, on motion, postponed for the present.

Mr. Blackmer moved to amend the amendment by inserting "one dollar" in lieu of "three dollars." Lost.

Mr. Farrow moved that the bill be indefinitely postponed; which motion did not prevail.

Mr. Murphy moved to amend the amendment, by inserting "five dollars" in lieu of "three dollars." Lost.

The question then recurring upon the amendment of Mr. McAden, it was not carried.

Mr. Smith, of Hertford, moved to amend by striking out the second clause of the first section, and inserting as follows:

"The Councillors of State shall receive the same compensation which is allowed to a member of the General Assembly

for every day he may attend on public business, and for every thirty miles' travelling to and from the City of Raleigh on public business."

Which was adopted.

Mr. Smith, of Hertford, moved further to amend, by striking out, in clause 3rd, sec. 1, after the words "twenty-five hundred dollars," the words "and for every extra term of the Superior Court, which a Judge may hold, one hundred dollars, and that one week shall constitute a term;" which was adopted.

Mr. Hoke moved further to amend by striking out "$2500," as the salary of the Superior Court Judges, and inserting "$2250" in lieu thereof. Lost.

Mr. Caldwell, of Guilford, moved to amend by substituting the following for the amended clause:

"The Judges of the Superior Courts $100 for every term of said court which they may hold, and one week shall constitute a term."

Which did not prevail.

Mr. McNair moved further to amend by striking out "$2500," as the salary of the Public Treasurer, and inserting "$2000" in lieu thereof; which was adopted,—yeas 52, nays 39,—the yeas and nays being demanded by Mr. Dickey.

Those who voted in the affirmative, are:

Messrs. Allison, Ashworth, Beasley, Black, Blythe, Bryson, Burton, Caldwell, Campbell, Carson, Craig, Crawford, Dalby, Davis, of Carteret, Dickey, Everett, Farrow, Flythe, Furr, Garland, Gidney, Hamilton, Hodnett, Houston, Jenkins, of Gaston, Jenkins, of Warren, Jones, Kenan, Kinney, Leigh, of Tyrrell, Logan, Lyon, Manly, McEachern, McGuire, McIntosh, McNair, Moore, of Chatham, Moore, of Martin, Nicks, Palmer, Rayner, Rosebro', Shaw, Smith, of Columbus, Smith, of Guilford, Scoggin, Teague, Trull, Waugh, Yellowley and York.

Those who voted in the negative, are:

Messrs. Barnett, Blackmer, Cameron, Candler, Chadwick,

Cowan, Cox, Dargan, Davis, of Halifax, Dunn, Faircloth, of Wayne, Faison, Ferrell, Foster, Harper, Hawes, Henry, Holderby, Holmes, Horton, Hutchison, Hyman, Jenkins, of Granville, Joyner, Judkins, Lee, of Gates, Lucas, Luke, Marler, McAden, Murphy, Niven, Russell, Smith, of Hertford, Thigpen, Thompson, Webb, Wheeler and Wilson.

Mr. Rayner moved further to amend, by striking out "$1500," as the salary of the Chief Clerk of the Treasurer, and inserting "$1000" in lieu thereof; which was adopted.

Mr. Marler moved further to amend by inserting "$1500," as the salary of the Secretary of State, instead of "$1000;" which did not prevail.

Mr. Jenkins, of Warren, moved further to amend, by striking out "$1000," as the salary of the Private Secretary of the Governor, and inserting "$500" in lieu thereof; which was adopted.

Mr. Rayner moved also to amend the same clause, by striking out the word "double" before the words "the fees;" which was adopted.

Mr. Hoke moved further to amend, by striking out, in clauses 8 and 9, section 1, concerning Attorney General and Solicitor, the word "thirty" and inserting "twenty" in lieu thereof. Carried.

Mr. Marler moved also to amend the same clauses, by striking out, in each, the words "fifty per cent. in addition to" before the words "the fees." Carried.

Mr. Rayner moved further to amend, by striking out "$1000," as the salary of the Reporter of the Supreme Court, and inserting "$600" in lieu thereof; which was adopted.

Mr. Rayner moved further to amend by striking out the last clause of the first section, relating to a Messenger in the Executive Office; which prevailed.

Mr. Smith, of Hertford, moved to amend the second section, by striking out all after the word "act," in line 3, and inserting "or with such provisions of chapter 102, Revised Code

as are not superseded by this act, be and the same are hereby repealed." Which was adopted.

Mr. Smith, of Hertford, moved further to amend, by adding, after the word "Code" at the close of the 9th clause, sec. 1, the words "and, in cases of acquittal by the jury, the fees which would have been respectively taxed on conviction against the defendant shall be paid by the county to such Solicitor."

Pending debate upon which, Mr. Blackmer moved that the House adjourn until to-morrow morning, 10 o'clock.

Mr. Crawford moved to amend by inserting "7 o'clock this P. M." Lost.

The original motion then prevailed, and the House adjourned until to-morrow morning, 10 o'clock.

THURSDAY, February 15, 1866.

Prayer by Rev. Dr. Mason.

Leave of absence for an indefinite period, from and after to-day, was granted to Mr. Rayner.

An additional recommendation of magistrates for the county of Anson was submitted, approved and sent to the Senate for concurrence.

Mr. Manly, from the Judiciary Committee, reported favorably, with amendments, upon the "bill concerning Negroes, Indians and persons of color, or of mixed blood."

Mr. Jenkins, of Warren, submitted a report, on behalf of a minority of said Committee, adverse to the passage of the bill.

The bill, as amended in Committee of the Whole, together with the reports from the Judiciary Committee, were ordered to be printed.

Mr. Murrill, from the Committee on Propositions and Grievances, reported back the memorial of Justices of the Peace of

Orange county, praying compensation to magistrates, asking its reference to the Committee on Salaries and Fees; which was ordered accordingly.

Mr. Murrill, from the same Committee, reported unfavorably upon the memorial of Brodnax and Wilkins, relative to the ferry over the Roanoke, at Gaston, and asked to be discharged from its further consideration; which was so ordered.

Mr. Paschall, on behalf of a minority of the same Committee, submitted a counter report, accompanied by a bill, entitled "A bill to repeal an act authorizing the Raleigh and Gaston Railroad Company to establish a ferry at Gaston;" which was read and placed on file.

Mr. Waugh, from the Special Committee appointed to collect certain papers in the Adjutant General's, and other, offices, and have them deposited in the State Capitol, reported that they had performed that duty, and asked to be discharged; which was so ordered.

The following resolutions and bills were introduced and severally disposed of as stated, viz:

By Mr. Waugh: Resolution in favor of R. W. Best, Secretary of State. Referred to Committee on Claims.

By Mr. Baxter: Resolution in regard to the Swamp Lands. Referred to the Committee on Swamp Lands.

By Mr. Blythe: Resolution of inquiry concerning the Attachment Law of 1861. Referred to Committee on the Judiciary.

By Mr. Hamilton: Bill to assist owners of real estate in securing the titles therefor. Same reference.

By Mr. Scoggin: Bill in favor of Martin Walker, Sheriff of Rutherford county. Same reference.

The unfinished business of yesterday, being the "Bill to regulate Salaries and Fees," was then taken up,—the pending question being on the amendment of Mr. Smith, of Hertford, to allow tax fees to Solicitors in cases of acquittal by a jury.

Mr. Jenkins, of Granville, moved to amend the amendment,

by striking out the 9th clause, and inserting, in lieu thereof: "Each Solicitor of the State $100 for every term of the Superior Court he may attend." Lost.

The question then recurring upon the amendment of Mr. Smith, it was not adopted.

Mr. Hoke moved to amend by striking out the whole of sec. 3, after the enacting clause, and inserting, in lieu thereof, the following:

"That this act shall be in force from its passage, and the legal effect and operation shall not be controlled by sec. 35, chap. 52, Rev. Code."

Which was adopted.

Mr. Smith, of Hertford, moved further to amend, by adding, at the end of sec. 1, the following: "Public Librarian five hundred dollars." Which was adopted.

Mr. McNair moved to re-consider the vote by which, on yesterday, the fifth clause of sec. 1. was amended, by striking out "$1500," as the salary of the Chief Clerk of the Treasurer, and inserting "$1000" in lieu thereof; which motion prevailed.

The question then recurring on striking out, it did not prevail.

Mr. Marler moved to re-consider the vote by which, on yesterday, the first clause of sec. 1 was amended, by striking out "$4000," as the salary of the Governor, and inserting "$3000" in lieu thereof; which motion prevailed.

The question first recurring on striking out,—a division of the question having been demanded by Mr. Jenkins, of Warren—the same did not prevail; yeas 42, nays 65.

Mr. Rayner demanded the yeas and nays; and, the demand being sustained,

The following gentlemen voted in the affirmative:

Messrs. Allison, Ashworth, Beasley, Blythe, Bonner, Bryson, Burgess, Caldwell, Carson, Coates, Craig, Crawford, Dalby, Davis, of Carteret, Dickey, Farrow, Flythe, Garland, Ham-

ilton, Hodnett, Hoke, Houston, Hutchison, Jenkins, of Gaston, Jones, Kinney, Leigh, of Tyrrell, Manly, McGuire, McNair, Melson, Moore, of Chatham, Moore, of Martin, Nicks, Page, Palmer, Paschall, Rayner, Smith, of Guilford, Stilley, Scoggin and Waugh.

And the following in the negative:

Messrs. Barnett, Baxter, Black, Blackmer, Blair, Burton, Cameron, Campbell, Candler, Chadwick, Cowan, Cox, Dargan, Davis, of Halifax, Donnell, Dunn, Faircloth, of Wayne, Faison, Foster, Furr, Gaines, Gidney, Harper, Hawes, Henry, Holderby, Holmes, Horton, Hyman, Jenkins, of Granville, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Logan, Lucas, Luke, Lyon, Marler, McAden, McDonald, McEachern, McIntosh, Moore, of Alamance, Murphy, Murrill, Niven, Newsum, Potter, Rosebro', Shaw, Smith, of Columbus, Smith, of Cumberland, Smith, of Hertford, Teague, Thigpen, Thompson, Trull, Webb, Wheeler, Williams, Wilson, Yellowley and York.

Mr. Waugh moved to postpone the further consideration of the bill, and to make it the special order for Monday next, 12 o'clock. Lost.

Mr. Horton moved to re-consider the vote by which, on yesterday, "$1000" was stricken out, in clause 7, sec. 1, as the salary of the Private Secretary of the Governor, and "$500" inserted; which motion did not prevail.

The bill, as amended, then passed its second reading; and, on motion of Mr. Thigpen, the rules were suspended, and it was put upon its third reading, when

Mr. McAden moved to amend by inserting, at the end of sec. 1: "Messenger in the Executive office, five hundred dollars;" which did not prevail,—yeas 31, nays 69; the yeas and nays being demanded by Mr. Jones.

Those who voted in the affirmative are:

Messrs. Allison, Barnett, Black, Burgess, Chadwick, Cox, Craig, Dargan, Donnell, Dunn, Faircloth, of Wayne, Ferrell,

Foster, Harper, Horton, Judkins, Kenan, Manly, Marler, McAden, McDonald, McNair, Moore, of Alamance, Murphy, Murrill, Niven, Rosebro', Shaw, Smith, of Cumberland, Smith, of Hertford, and Wheeler.

Those who voted in the negative are:

Messrs. Ashworth, Baxter, Beasley, Blair, Blythe, Bonner, Bryson, Burton, Caldwell, Cameron, Candler, Carson, Coates, Crawford, Dalby, Davis, of Carteret, Davis, of Halifax, Dickey, Farrow, Flythe, Furr, Garland, Gidney, Hamilton, Hawes, Henry, Hodnett, Holderby, Hoke, Holmes, Houston, Hyman, Jenkins, of Gaston, Jenkins, of Granville, Jenkins, of Warren, Jones, Joyner, Kinney, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Lyon, Matthews, McEachern, McGuire, McIntosh, Melson, Moore, of Chatham, Moore, of Martin, Nicks, Newsum, Page, Palmer, Paschall, Potter, Smith, of Guilford, Stilley, Scoggin, Teague, Thigpen, Thompson, Trull, Waugh, Webb, Williams, Wilson and Yellowley.

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

Received a message from the Senate, transmitting an engrossed bill, entitled "A bill to extend the time allowed to widows to enter their dissent to the last wills and testaments of their husbands," and asking the concurrence of the House therein. Referred to Committee on Judiciary.

Also, announcing that they had passed, with amendments, the engrossed bills "To charter the High Shoals Railroad Company" and "To amend an act to incorporate the Macon County Turnpike Company," and asking the concurrence of the House in said amendments. Concurred in, and the Senate informed thereof by message.

Received a message from his Excellency, the Governor, announcing a vacancy in the Solicitorship of the 6th Judicial District, occasioned by the death of L. Q. Sharpe, Esq.; which was ordered to be sent to the Senate.

On motion of Mr. Smith, of Hertford, the bill "To author-

ize the Banks of the State to take stock in National Banks," which was passed over on Tuesday last, was made the special order for to-morrow, (Friday,) at 11 o'clock.

On motion of Mr. Manly, the bill, passed over on yesterday, "to allow persons of Indian blood to bear testimony in controversies at law and in equity," was referred to the Judiciary Committee.

The special order for the day, to wit: "Bill to authorize the reference of disputes by consent of parties," was then taken up, and the bill passed its second reading,—yeas 63, nays 30; the yeas and nays being demanded by Mr. Caldwell,

Those who voted in the affirmative are:

Messrs. Allison, Ashworth, Barnett, Beasley, Blair, Bonner, Bryson, Burton, Campbell, Caldwell, Candler, Carson, Coates, Craig, Crawford, Dalby, Dargan, Davis, of Carteret, Dickey, Flythe, Garland, Gidney, Hamilton, Hawes, Holderby, Holmes, Horton, Houston, Hutchison, Jenkins, of Gaston, Jones, Joyner, Judkins, Kenan, Kinney, Lee, of Gates, Logan, Lucas, Matthews, McAden, McDonald, McEachern, McGuire, McIntosh, McNair, Moore, of Alamance, Niven, Nicks, Newsum, Page, Palmer, Rosebro', Shaw, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Stilley, Scoggin, Teague, Trull, Waugh, Wheeler and York.

Those who voted in the negative are:

Messrs. Blythe, Cameron, Chadwick, Donnell, Dunn, Everett, Faircloth, of Wayne, Farrow, Foster, Furr, Harper, Henry, Hodnett, Hoke, Jenkins, of Granville, Leigh, of Tyrrell, Lyon, Manly, Marler, Melson, Moore, of Chatham, Murphy, Murrill, Smith, of Hertford, Thigpen, Thompson, Webb, Williams, Wilson and Yellowley.

Received a message from the Senate, proposing to raise a Joint Select Committee of two from the Senate and three from the House, to whom shall be referred the whole subject of supplying artificial limbs to soldiers disabled in the service of

the State; which was concurred in, and Messrs. Yellowley, Hutchison and Bryson designated as the House branch of said committee.

On motion of Mr. McAden, a message was sent to the Senate, proposing to vote forthwith for Solicitor of the 6th Judicial District, and announcing that Messrs. A. J. Dargan, W. P. Caldwell and D. M. Furches are in nomination; in which proposition the Senate subseqnently refused to concur.

Mr. Harper (by leave) introduced a bill "to amend the act incorporating the town of Lenoir, in Caldwell county." Referred to the Committee on Corporations.

Mr. Nicks moved that the House do now adjourn until to-morrow morning, 10 o'clock.

Mr. Wilson moved to amend, by substituting "4 o'clock this P. M;" which did not prevail.

The motion was then adopted, and the House adjourned until to-morrow morning, 10 o'clock.

FRIDAY, February 16, 1866.

Prayer by Rev. Mr. Smedes.

Lewis Hilliard, member elect from the county of Pitt, appeared, produced his credentials, was qualified, and took his seat.

Leave of absence for one week was granted to Messrs. McEachern and Murphy; for one day to Messrs. Moore, of Chatham, and Smith, of Guilford; for five days to Mr. Paschall; until Thursday next to Mr. Allison, and, until Friday next, to Mr. Faison.

Additional recommendations of magistrates for the counties of Northampton, Burke, Halifax, Carteret and Onslow were submitted, approved, and sent to the Senate for concurrence.

Mr. Smith, of Hertford, from the Committee on Finance, to

whom was referred the resolution authorizing the Public Treasurer to pay the travelling expenses, in certain cases, of citizens entitled to artificial limbs under the act of this General Assembly, submitted a report thereon, and asked to be discharged from the further consideration of the subject; which was so ordered.

Mr. Blackmer, from the Committee on Corporations, reported favorably upon

Bill to incorporate the inhabitants of the town of Wilmington; and

Bill to amend the act incorporating the town of Lenoir, in Caldwell county.

Mr. Manly, from the Committee on the Judiciary, to whom were referred sundry bills and resolutions on the subject of a Homestead, reported back, as a substitute for the whole, a bill, entitled "A bill to establish Freehold Homesteads for the citizens of the State;" which was read and ordered to be printed.

Mr. Manly, from the same committee, reported favorably upon

Bill in favor of George M. Green, Sheriff of Cleaveland county; and

Senate bill to prevent the sale of spirituous liquors in the town of Salem, Forsythe county.

Mr. Waugh, from the Joint Select Committee on the Stay Law, to whom were referred various resolutions of enquiry, reported a bill, entitled "A bill to change the jurisdiction of the Courts and the rules of pleading therein;" which was read, ordered to be printed, and made the special order for Tuesday next, 20th inst., 11 o'clock.

The following resolution and bills were introduced, and severally disposed of, as stated, viz:

By Mr. Yellowley: Resolution in favor of Mrs. Sarah Hanrahan, widow of Walter S. Hanrahan, deceased. Under a

suspension of the rules, passed its several readings, and ordered to be engrossed.

By Mr. Moore, of Alamance: Bill to incorporate the North-Carolina Mining Company. Referred to the Committee on Corporations.

By Mr. Smith, of Cumberland: Bill to authorize the County Courts of Cumberland to appoint Inspectors of Naval Stores. Referred to the Committee on Propositions and Grievances.

On motion of Mr. Jenkins, of Warren, a message was sent to the Senate, proposing to vote forthwith for Solicitor of the 6th Judicial District; in which proposition the Senate subsequently refused to concur.

The calendar was then taken up, and the following bills, coming up on their second reading, were severally disposed of as follows, viz:

Bill to incorporate the Hiawassie Turnpike Company. Amendments recommended by the committee adopted, and passed.

Bill to punish vagrancy. Committee amendments adopted and passed.

Bill to prevent enticing servants from fulfilling their contracts or harboring them. Passed.

Bill to secure to agricultural laborers their pay in kind. Committee amendment adopted and passed.

Bill more effectually to secure the maintenance of bastard children, and the payment of fines and costs, on conviction in criminal cases. Passed.

The hour having arrived for the consideration of the special order, viz: "Bill to authorize the Banks of this State to take stock in National Banks," the same was taken up, and, after some time spent in debate thereon, it failed to pass its second reading,—yeas 44, nays 58; the yeas and nays being demanded by Mr. McDonald.

Those who voted in the affirmative are:

Messrs. Allison, Ashworth, Barnett, Baxter, Blackmer, Blair,

Blythe, Bonner, Burton, Cowan, Cox, Craig, Dalby, Dargan, Garland, Gidney, Hamilton, Harper, Hawes, Hilliard, Hoke, Holmes, Hyman, Kenan, Lee, of Gates, Lucas, Luke, Manly, Marler, McAden, McIntosh, Moore, of Alamance, Moore, of Martin, Mott, Murphy, Niven, Newsum, Palmer, Shaw, Smith, of Cumberland, Smith, of Hertford, Teague, Wheeler and Williams.

Those who voted in the negative, are:

Messrs. Beasley, Black, Bryson, Burgess, Caldwell, Cameron, Candler, Carson, Chadwick, Coates, Crawford, Davis, of Carteret, Davis, of Halifax, Dickey, Dunn, Everett, Faircloth, of Wayne, Flythe, Foster, Furr, Gaines, Henry, Hodnett, Holderby, Horton, Houston, Hutchison, Jenkins, of Gaston, Jenkins, of Granville, Jenkins, of Warren, Jones, Joyner, Judkins, Kinney, Logan, Lyon, Matthews, McDonald, McGuire, McNair, Melson, Murrill, Nicks, Page, Potter, Rayner, Rosebro', Smith, of Columbus, Smith, of Guilford, Stilley, Scoggin, Thigpen, Thompson, Trull, Waugh, Wilson, Yellowley and York.

Received a message from the Senate, announcing that they had passed the engrossed bill "Further suspending the operation of the statute of Limitations," with an amendment, in which they asked the concurrence of the House; but the House refused to concur.

Also, announcing that they had passed the following engrossed resolution and bills, in which they asked the concurrence of the House, viz:

Resolution concerning Cherokee Indians;

Bill to authorize certain Cherokee Indians to remain permanently in North-Carolina; and

Bill to authorize the Wardens of the Poor, in case any indigent person becomes chargeable to a county, possessed of any estate, to subject the same to the indemnity thereof;

All of which were read and placed on file.

Also, a message announcing that they had passed "The

bill to regulate the terms of the Supreme Court, and for other purposes," with an amendment, in which they asked the concurrence of the House; but the House refused to concur.

Also, announcing that they had passed a substitute, proposed by the Committee of Conference, for the Senate resolution "to furnish copies of the Revised Code to clerks, &c., not already supplied." The House concurring, the same was ordered to be enrolled.

The following bills were introdueed, by leave, viz:

By Mr. Hoke: Bill to re-enact sec. 4, ch. 102, Revised Code. Placed on file.

By Mr. Wilson: Bill relating to debts created during the late war. Referred to Committee on Judiciary.

From the Finance Committee: Bill entitled "Revenue." Read and ordered to be printed.

The consideration of the ealendar was then resumed, and the following bills, coming up on their second reading, were severally disposed of as stated, viz:

Bill to incorporate the Union Mining Company. Passed.

Bill to appoint a tax collector for Jaekson county. Lost.

Bill to prevent obstructions to the passage of fish in Caney River. Lost.

Bill to incorporate the inhabitants of the town of Wilmington. Under a suspension of the rules, passed its several readings, and ordered to be engrossed.

On motion of Mrs. Waugh, the House adjourned until tomorrow morning, 10 o'clock.

SATURDAY, February 17, 1866.

Additional recommendations of magistrates for the eounties of Alexander, Gates, Lincoln, Chowan and Cleaveland were submitted, approved, and sent to the Senate for eoncurrenee.

Leave of absence for one week was granted to Mr. Chadwick, until Thursday next to Mr. Holderby, until Tuesday next to Mr. Foster, and for one day to Messrs. Coates, Houston and Potter.

Mr. Murrill, from the Committee on Propositions and Grievances, reported favorably upon the bill "to allow the County Court of Cumberland to appoint an Inspector of Naval Stores."

Mr. Manly, from the Committee on the Judiciary, reported favorably upon

Bill to extend time for widows to enter their dissent to the last wills and testaments of their husbands;

Bill to establish work-houses or houses of correction in the several counties of the State;

Bill to punish seditious language, insurrections and rebellions in the State; and

Bill to empower Courts of Pleas and Quarter Sessions to authorize Executors and Administrators to sell for cash.

Mr. Manly, from the same committee, to whom was referred a resolution of enquiry as to the policy and expediency of perfecting and establishing a Mechanics' Lien Law, submitted a report thereon, and asked to be discharged from the further consideration of the subject; which was so ordered.

The following bills were introduced and severally disposed of, as stated, viz:

By Mr. Waugh: Bill to repeal so much of sec. 2, chap. 68, Revised Code, entitled "Marriages," as requires the Clerk to take bond. Referred to the Committee on the Judiciary.

By Mr. Stilley: Bill for relief of the President, Directors and Company of the Washington toll-bridge. Under a suspension of the rules, passed its several readings and ordered to be engrossed.

Mr. Hutchison moved to re-consider the vote, by which, on yesterday, the bill "to authorize the Banks of the State to take stock in national banks" failed to pass its second reading.

Mr. Waugh moved to lay the motion on the table; which

did not prevail,—yeas 34, nays 48; the yeas and nays being demanded by Mr. Waugh.

Those who voted in the affirmative are:

Messrs. Beasley, Black, Burgess, Caldwell, Cameron, Carson, Dargan, Davis, of Carteret, Davis, of Halifax, Everett, Faircloth, of Green, Faircloth, of Wayne, Ferrell, Flythe, Gaines, Henry, Hodnett, Jenkins, of Gaston, Judkins, Kinney, Leigh, of Tyrrell, Logan, McDonald, McGuire, Melson, Niven, Nicks, Page, Smith, of Columbus, Stilley, Scoggin, Thompson, Trull and Waugh.

Those who voted in the negative are:

Messrs. Ashworth, Barnett, Blackmer, Blythe, Bonner, Bryson, Burton, Campbell, Candler, Cowan, Cox, Craig, Crawford, Dunn, Farrow, Garland, Gidney, Hamilton, Harper, Hawes, Hilliard, Holmes, Horton, Hutchison, Hyman, Jenkins, of Granville, Jones, Kenan, Lee, of Gates, Lucas, Luke, Manly, Marler, McIntosh, McNair, Moore, of Martin, Mott, Newsum, Palmer, Rosebro', Shaw, Smith, of Cumberland, Smith, of Hertford, Teague, Wheeler, Williams, Wilson and York.

Mr. Thompson moved to amend the motion, by proposing to make the bill the special order for Wednesday next, 12 o'clock; which was not carried.

The motion to re-consider was then ordered to lie over.

Received a message from the Senate, transmitting recommendations of magistrates for the counties of Harnett and Rutherford; which were concurred in.

Also, other recommendations for the counties of Alamance and Cleaveland, which were ordered to lie on the table for the present.

Also, concurring in recommendations of Justices for the counties of Alexander, Gates, Ghowan, Cleveland, Halifax and Carteret.

Also, announcing that the Senate had refused to recede from its amendments to the engrossed bills, "further suspend-

ing the operation of the Statute of Limitations," and "To regulate the terms of the Supreme Court, and for other purposes."

Whereupon, the House concurred in the amendments to the former, but again disagreed to those to the latter, and invited conference thereon,—Messrs. Smith, of Hertford, and Manly being designated as the House branch of the Committee.

The calendar was then taken up, and the following bills, &c., coming up on their second reading, were severally disposed of as stated, viz:

Bill to repeal so much of sec. 20, act of 1861, "to change jurisdiction of Courts," &c., as requires Executors to give security. Amendments recommended by Committee adopted, and passed second reading.

Bill to incorporate Mystic-tie Lodge, No. 237, F. & A. M. Under a suspension of the rules, passed its several readings, and ordered to be engrossed.

Bill to incorporate Stokes Lodge, No. 32, F. & A. M. Passed second reading.

Bill to incorporate Little River Select School. Passed second reading.

Senate bill to incorporate Transylvania Seminary. Under a suspension of the rules, passed its several readings and ordered to be enrolled.

Bill to repeal "act authorizing R. & G. R. R. Company to establish a ferry at Gaston." Referred to Judiciary Committee.

Bill to amend "act incorporating the town of Lenoir." Rules suspended, passed several readings, and ordered to be engrossed.

Senate bill to prevent the sale of spirituous liquors in the town of Salem. Laid on table for the present.

Bill to re-enact sec. 4, chap. 102, Revised Code. Under suspension of the rules, passed its several readings, and ordered to be engrossed.

Senate resolution concerning Cherokee Indians. Under suspension of the rules, passed its several readings, and ordered to be enrolled.

Senate bill to authorize certain Cherokee Indians to remain permanently in North Carolina. Passed several readings, and ordered to be enrolled.

Senate bill to authorize wardens of the poor, in case any indigent person becomes chargeable to a county, possessed of any estate, to subject the same to the indemnity thereof. Passed several readings, and ordered to be enrolled.

Bill to punish seditious language, insurrections and rebellions in the State. Passed several readings and ordered to be engrossed.

Bill for relief of Jesse B. Lee, late Sheriff of Currituck county. Amendments of Committee adopted, and passed second reading.

Bill to authorize County Court of Cumberland to appoint an Inspector of Naval Stores. Passed several readings, under a suspension of the rules, and ordered to be engrossed.

Bill to empower Courts of Pleas and Quarter Sessions to authorize Executors and Administrators to sell for cash.

Mr. Burgess moved to amend by striking out the word "Executors." Lost.

Mr. Garland moved to amend, by inserting, after the word "cash," at the end of sec. 1, the words "so far as is absolutely necessary to meet pressing demands on the estate." Lost.

Mr. Manly moved to amend, by adding the word "Guardians" after the word "Administrators;" which was adopted.

The bill, as amended, under a suspension of the rules, passed its several readings, and was ordered to be engrossed.

Bill to establish work-houses or houses of correction in the several counties of the State. Passed second reading.

Received a message from the Senate, transmitting the following engrossed bills, &c., and asking the concurrence of the House therein, viz:

Bill to outlaw felons who flee from justice. Referred to Judiciary Committee.

Bill concerning private acts of incorporations. Same reference.

Resolution concerning the collection of the State taxes in Beaufort county. Under a suspension of the rules, passed its several readings, and ordered to be enrolled. And,

Bill to authorize the Clerk of the Court of Pleas and Quarter Sessions of Chowan county to qualify the Sheriff elect of said county. Amended, on motion of Mr. Bonner, and, under a suspension of the rules, passed its several readings, and sent to the Senate for concurrence in the amendment.

Received a message from the Senate, concurring in the proposition to raise a Committee of Conference on the bill "to regulate the terms of the Supreme Court, and for other purposes," and announcing Messrs. Morehead and Carter as the Senate branch of said Committee.

Also, transmitting an engrossed resolution "in favor of Edward Sanders, Executor of Isaac N. Sanders," and asking the concurrence of the House therein. Under a suspension of the rules, passed its several readings and ordered to be enrolled.

Also, concurring in the House amendment to the bill "to authorize the Clerk of the Court of Pleas and Quarter Sessions of Chowan county to qualify the Sheriff elect of said county." So the bill was ordered to be enrolled.

On motion of Mr. Luke, the House adjourned until Monday morning, 10 o'clock.

MONDAY, FEBRUARY 19, 1866.

Prayer by Rev. Mr. Atkinson.

Leave of absence until Wednesday next was granted to Mr. Faircloth, of Wayne.

Recommendations of magistrates for the counties of Mc-

Dowell and Alamance were submitted, approved and sent to the Senate for concurrence.

The Speaker announced Messrs. Kenan, Houston, Jones, Campbell and Shaw as the Committee on Enrolled Bills for the week.

Mr. Hoke presented the Pension Certificate of Daniel Tucker, a citizen of Lincoln, which was referred to the Committee on Claims.

Mr. Yellowley, from the Committee on the Judiciary, to whom was referred a resolution of enquiry upon the subject of relief for Administrators, Guardians, &c., reported the same back and asked to be discharged from the further consideration of the same; which was so ordered.

Mr. Yellowley, from the same committee, reported unfavorably upon the bill "for the relief of Executors, Guardians, &c., and others, acting in a fiduciary capacity."

Mr. Manly, from the same committee, reported favorably the bill "concerning assignments." Made the special order for Thursday next, 22d inst., 12 o'clock.

Mr. Blackmer, from the same committee, reported a bill entitled "A bill for the relief of sheriffs and tax collectors;" which was read and placed on file.

Mr. Jenkins, of Granville, from the Committee on Education, to whom was referred a bill for the benefit of the Public Schools of the State, reported back a substitute for the same, entitled "A bill for the benefit of the Common Schools;" which was read and ordered to be printed.

Mr. Wilson, from the same committee, reported back the bill "to amend section 26, chapter 66, Revised Code, entitled Literary Fund and Common Schools," and asked to be discharged from its further consideration; which was ordered accordingly.

The following resolution and bill were introduced and referred as stated, viz:

By Mr. Waugh: Resolution concerning official papers in the clerk's office. Finance.

By Mr. Logan: Bill to revive and amend an act to incorporate Sulphur Springs Camp Ground, in the county of Cleaveland. Corporations.

The calendar was then taken up, and the following bills, coming up on their second reading, were severally disposed of as stated, viz:

Bill to secure creditors in certain cases. Re-referred to the Judiciary Committee.

Bill concerning Negroes, Indians, and persons of color, or of mixed blood. Made the special order for Wednesday, 21st inst., 12 o'clock.

Senate bill to extend the time for widows to dissent from the last wills and testaments of their husbands. Under a suspension of the rules, passed its several readings and ordered to be enrolled.

Bill for relief of Executors, Guardians, and others, acting in a fiduciary capacity. Rejected.

Bill to amend sec. 26, ch. 66, Revised Code, entitled "Literary Fund and Common Schools." Rejected.

And the following bills, coming up on their third reading, passed the same and were ordered to be engrossed:

Bill to authorize the construction of toll-bridge across the Catawba river, near Rock Island Factory;

Bill to punish persons pursuing and injuring horses, and other live stock, with intent to steal them;

Bill to prevent wilful trespasses on lands, and stealing any kind of property therefrom;

Bill to incorporate the Hiwassie Turnpike Company;

Bill to punish vagrancy;

Bill to prevent enticing servants from fulfilling their contracts, or harboring them;

Bill to secure to agricultural laborers their pay in kind;

Bill more effectually to secure the maintenance of bastard

children, and the payment of fines and costs, on conviction in criminal cases.

Bill to incorporate the Union Mining Company, in Rowan county.

Bill to repeal so much of section 20, act of 1861, "to change jurisdiction of courts," &c., as requires executors to give security;

Bill to incorporate Stokes Lodge, No. 32, Free and Accepted Masons;

Bill to incorporate Little River Select School;

Bill to establish work-houses or houses of correction in the several counties of the State; and

Bill to legalize the transfer of registered bonds to bearer.

And the following passed its third reading, and was ordered to be enrolled, viz:

Senate resolution in favor of Drury King.

On motion, the rules were suspended, and the bill "for the relief of sheriffs and tax collectors," this day reported from the Judiciary Committee, was placed upon its second reading; when

Mr. Blythe moved to amend by inserting "1865" at the end of sec. 1; which was adopted.

Mr. Jenkins, of Warren, moved the following, as an additional section; which was adopted, viz:

"*Be it further enacted*, That the time for collecting the taxes imposed by the recent Ordinance of the Convention be extended to the first day of April, 1866: And in those counties where there are no Provisional sheriffs, the sheriffs who have been recently qualified, shall proceed to collect said taxes and account to the Public Treasurer for the same."

Mr. Moore, of Martin, moved to amend by adding, at the close of sec. 1, after the figures "1865," the following:

"And like authority is granted from and since the year 1856 in those counties which, at any time during the war, were held in military occupation by the United States forces."

Which was adopted; and the bill, as amended, then passed its second reading.

Received a message from the Senate, concurring in the recommendations of Justices for the counties of McDowell and Alamance.

Also, announcing Messrs. Blount, Bullock and Hall as the Senate branch of the Committee on Enrolled Bills for the week.

Also, announcing that they had passed the following engrossed bill and resolution, and asking the concurrence of the House therein, to wit:

Bill to appoint a tax collector for the county of Lenoir. Filed.

Resolution to print the acts of the secret sessions of 1862–'3 and of 1864–'5.

On motion, the rules being suspended and this latter resolution being placed on its second reading.

Mr. Jenkins, of Warren, moved to indefinitely postpone the same; which was not agreed to,—yeas 39, nays 50.

Mr. Jenkins demanded the yeas and nays

Those who voted in the affirmative are:

Messrs. Arrington, Barnett, Baxter, Bonner, Bryson, Burgess, Cameron, Cowan, Cox, Dargan, Davis, of Halifax, Furr, Gaines, Gidney, Harper, Hawes, Hodnett, Hutchison, Hyman, Jenkins, of Warren, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Luke, Manly, Marler, McAden, McIntosh, McNair, Moore, of Alamance, Moore, of Martin, Niven, Shaw, Smith, of Cumberland, Smith, of Hertford, Williams, Wilson and Yellowley.

Those who voted in the negative are:

Messrs. Ashworth, Beasley, Black, Blackmer, Blair, Blythe, Burton, Campbell, Candler, Carson, Craig, Crawford, Dalby, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Flythe, Garland, Hamilton, Holmes, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Logan, Lucas,

Lyon, Matthews, McDonald, McGuire, Melson, Murrill, Newsum, Palmer, Potter, Rosebro', Simmons, Smith, of Columbus, Smith, of Guilford, Stilley, Scoggin, Teague, Thompson, Trull, Waugh, Wheeler and York.

Mr. Hutchison moved to lay the resolution on the table; which did not prevail.

Mr. Smith, of Hertford, moved its reference to the Committee on the Judiciary; which was not carried,—yeas 44, nays 44; the Speaker voting in the negative.

Mr. McDonald demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Barnett, Baxter, Bonner, Bryson, Burgess, Burton, Cameron, Cowan, Cox, Craig, Crawford, Dargan, Davis, of Halifax, Farrow, Gaines, Gidney, Harper, Hawes, Hodnett, Hoke, Hutchison, Hyman, Jenkins, of Warren, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Manly, Marler, McAden, McIntosh, McNair, Moore, of Alamance, Moore, of Martin, Niven, Shaw, Smith, of Cumberland, Smith, of Hertford, Williams, Wilson and Yellowley.

Those who voted in the negative are:

Messrs. Ashworth, Beasley, Black, Blackmer, Blair, Blythe, Candler, Carson, Dalby, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Flythe, Furr, Garland, Hamilton, Holmes, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Lyon, Matthews, McDonald, McGuire, Melson, Murrill, Newsum, Potter, Rosebro', Simmons, Smith, of Columbus, Smith, of Guilford, Stilley, Scoggin, Teague, Thompson, Trull, Waugh, Wheeler and York.

Mr. Hutchison moved that the resolution be made the special order for Friday next, 11 o'clock; which was not agreed to,—yeas 40, nays 47; the yeas and nays being demanded by Mr. Dickey.

Those who voted in the affirmative, are:

Messrs. Baxter, Bonner, Bryson, Cameron, Campbell, Cowan, Cox, Crawford, Dargan, Davis, of Halifax, Farrow, Gaines,

Gidney, Harper, Hawes, Hutchison, Hyman, Jenkins, of Warren, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Manly, Marler, McAden, McIntosh, McNair, Moore, of Alamance, Moore, of Martin, Niven, Shaw, Smith, of Cumberland, Smith, of Guilford, Smith, of Hertford, Williams, Wilson and Yellowley.

Those who voted in the negative, are:

Messrs. Ashworth, Beasley, Blackmer, Blair, Blythe, Burton, Candler, Carson, Craig, Dalby, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Flythe, Furr, Garland, Hamilton, Hodnett, Hoke, Holmes, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Lyon, Matthews, McMcGuire, Melson, Murrill, Newsum, Palmer, Potter, Rosebro', Simmons, Smith, of Columbus, Stilley, Scoggin, Teague, Thompson, Trull, Waugh, Wheeler and York.

Mr. Jenkins, of Warren, moved that the resolution be made the special order for to-morrow, 11 o'clock; which did not prevail,—yeas 40, nays 48.

Mr. Jenkins demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Barnett, Baxter, Bonner, Bryson, Burgess, Cameron, Cowan, Cox, Crawford, Dargan, Davis, of Halifax, Farrow, Gaines, Gidney, Hamilton, Harper, Hawes, Hutchison, Hyman, Jenkins, of Warren, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Manly, Marler, McAden, McIntosh, McNair, Moore, of Alamance, Moore, of Martin, Niven, Shaw, Smith, of Cumberland, Smith, of Hertford, Williams and Wilson.

Those who voted in the negative are:

Messrs. Ashworth, Beasley, Black, Blackmer, Blair, Blythe, Burton, Campbell, Candler, Carson, Craig, Dalby, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Flythe, Furr, Garland, Hodnett, Hoke, Holmes, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Lyon, Matthews, McDonald, McGuire, Melson, Murrill, Newsum, Palmer,

Potter, Rosebro', Simmons, Smith, of Columbus, Smith, of Guilford, Stilley, Teague, Thompson, Trull, Waugh, Wheeler and York.

Mr. McNair moved its reference to a special committee of three. Lost,—yeas 38, nays 48; the yeas and nays being demanded by Mr. McNair.

Those who voted in the affirmative are:

Messrs. Barnett, Baxter, Bonner, Bryson, Burgess, Cameron, Cowan, Cox, Craig, Crawford, Dargan, Gidney, Harper, Hawes, Hutchison, Hyman, Jenkins, of Warren, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Manly, Marler, McIntosh, McNair, Moore, of Alamance, Moore, of Martin, Niven, Shaw, Smith, of Cumberland, Smith, of Hertford, Williams, and Wilson.

Those who voted in the negative are:

Messrs. Ashworth, Beasley, Black, Blackmer, Blair, Blythe, Burton, Campbell, Candler, Carson, Dalby, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Flythe, Furr, Garland, Hamilton, Hodnett, Holmes, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Lyon, Matthews, McDonald, McGuire, Melson, Murrill, Newsum, Palmer, Potter, Rosebro', Simmons, Smith, of Columbus, Smith, of Guilford, Stilley, Scoggin, Teague, Thompson, Trull, Waugh, Wheeler and York.

Mr. Marler moved that the House do now adjourn until tomorrow morning, 10 o'clock. Lost,—yeas 27, nays 57; the yeas and nays being demanded by Mr. Moore, of Alamance.

Those who voted in the affirmative are:

Messrs. Barnett, Baxter, Bonner, Cameron, Cowan, Dargan, Gaines, Gidney, Harper, Hutchison, Hyman, Jenkins, of Warren, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Logan, Luke, Manly, Marler, McAden, McNair, Moore, of Alamance, Moore, of Martin, Niven, Shaw and Smith, of Cumberland.

Those who voted in the negative are:

Messrs. Ashworth, Beasley, Black, Blackmer, Blair, Blythe,

Bryson, Burgess, Burton, Campbell, Candler, Carson, Craig, Crawford, Dalby, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Flythe, Furr, Garland, Hamilton, Hawes, Hodnett, Hoke, Holmes, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Lucas, Lyon, Matthews, McDonald, McGuire, McIntosh, Melson, Murrill, Newsum, Palmer, Potter, Rosebro', Simmons, Smith, of Columbus, Smith, of Guilford, Scoggin, Teague, Thompson, Trull, Waugh, Wheeler, Williams, Wilson and York.

Mr. Jenkins, of Warren, moved the reference of the Resolution to a special committee of five; which did not prevail,—yeas 40, nays 45.

Mr. Jenkins demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Barnett, Baxter, Bonner, Bryson, Burgess, Cameron, Cowan, Cox, Craig, Crawford, Dargan, Furr, Gaines, Gidney, Harper, Hawes, Hodnett, Hoke, Hutchison, Hyman, Jenkins, of Warren, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Manly, Marler, McAden, McIntosh, McNair, Moore, of Alamance, Moore, of Martin, Niven, Shaw, Smith, of Cumberland, Smith, of Hertford, Williams and Wilson.

Those who voted in the negative are:

Messrs. Ashworth, Beasley, Black, Blackmer, Blair, Blythe, Burton, Campbell, Candler, Carson, Dalby, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Flythe, Garland, Hamilton, Holmes, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Lyon, Matthews, McDonald, McGuire, Melson, Murrill, Newsum, Palmer, Potter, Rosebro', Simmons, Smith, of Columbus, Smith, of Guilford, Scoggin, Teague, Thompson, Trull, Waugh, Wheeler, and York.

Mr. Gidney moved an adjournment until to-morrow morning, 10 o'clock. Lost,—yeas 35, nays 50; the yeas and nays being demanded by Mr. Blythe.

Those who voted in the affirmative, are:

Messrs. Barnett, Baxter, Black, Bonner, Bryson, Burgess, Cameron, Campbell, Cowan, Cox, Crawford, Dargan, Gaines, Gidney, Harper, Hawes, Hyman, Jenkins, of Warren, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Lucas, Luke, Manly, Marler, McAden, McIntosh, McNair, Moore, of Alamance, Moore, of Martin, Niven, Shaw, Smith, of Cumberland, and Williams.

Those who voted in the negative are:

Messrs. Ashworth, Beasley, Blackmer, Blair, Blythe, Burton, Candler, Carson, Craig, Dalby, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Flythe, Furr, Garland, Hamilton, Hoke, Holmes, Horton, Houston, Hutchison, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Logan, Lyon, Matthews, McDonald, McGuire, Melson, Murrill, Newsum, Palmer, Potter, Rosebro', Simmons, Smith, of Columbus, Smith, of Guilford, Smith, of Hertford, Scoggin, Teague, Thompson, Trull, Waugh, Wheeler, Wilson and York.

The question then recurring on the passage of the resolution, on its second reading, it was decided in the affirmative, yeas 48, nays 36; the yeas and nays being demanded by Mr. Wheeler.

Those who voted in the affirmative, viz:

Messrs. Ashworth, Beasley, Black, Blackmer, Blair, Blythe, Burton, Campbell, Candler, Carson, Craig, Crawford, Dalby, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Flythe, Furr, Garland, Hamilton, Holmes, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Logan, Lyon, Matthews, McDonald, McGuire, Melson, Murrill, Newsum, Palmer, Potter, Rosebro', Simmons, Smith, of Columbus, Smith, of Guilford, Scoggin, Thompson, Trull, Waugh, Wheeler and York.

Those who voted in the negative, are:

Messrs. Barnett, Baxter, Bonner, Bryson, Cameron, Cowan, Cox, Dargan, Gaines, Gidney, Harper, Hawes, Hodnett, Hoke, Hutchison, Hyman, Jenkins, of Warren, Judkins, Kenan, Lee,

of Gates, Leigh, of Tyrrell, Lucas, Luke, Manly, Marler, McAden, McIntosh, McNair, Moore, of Alamance, Moore, of Martin, Niven, Shaw, Smith, of Cumberland, Smith, of Hertford, Williams and Wilson.

On motion of Mr. Scoggin, the House then adjourned until to-morrow morning, 10 o'clock.

TUESDAY, February 20, 1866.

Prayer by Rev. Mr. Cobb.

Additional recommendations of magistrates for the counties of Washington, Nash, Davidson and Bladen were submitted, approved, and sent to the Senate for concurrence.

On motion of Mr. Waugh, the engrossed resolution, which passed its second reading on yesterday, "to print the acts of the secret sessions of 1862–'63, and 1864–65," was ordered to be referred to a Select Committee of three.

Whereupon, the Speaker designated Messrs. Waugh, Wheeler and Jenkins, of Warren, to constitute said Committee.

Mr. Hoke, from the Committee on the Judiciary, to whom was referred the bill "to repeal an act authorizing the R. & G. R. R. Company to establish a ferry at Gaston," with the accompanying papers, reported, in answer to the enquiry on that point, that the original act was in the nature of a public act.

Mr. Manly, from the same Committee, reported unfavorably upon

Bill to assist owners of real estate in securing the titles therefor;

And favorably, with amendments, upon

Bill improving the law of evidence.

Mr. Baxter, from the Committee on Swamp Lands, reported favorably upon the resolution "in regard to Swamp Lands."

M S mith, of Hertford, to whom were referred:

Memorial of the Justices of Randolph County, praying the repeal of portions of the late Revenue Law;

Resolution of enquiry in reference to stamp taxes, &c.;

Resolution of enquiry as to the expediency of repealing the tax on spirituous liquors;

Resolution providing for collecting copies of laws, &c., and distributing to justices newly appointed;

Bill to increase the tax on the manufacture of spirituous liquors from grain;

Bill to authorize the exchange of stocks held by the State in certain railroads and canals, for bonds of the State, or the interest therein now due, and for other purposes; and

Resolution of enquiry concerning the stocks of the State in the different works of Internal Improvement,

Reported the same back to the House, and asked to be discharged from their further consideration; which was so ordered.

Mr. Thompson, from the same Committee, reported favorably upon the bill "to enable the Banks of the State to close business."

Mr. Waugh, from the Committee on the Stay Law, reported adversely to

Bill to stay executions, and for other purposes; and

Bill to alter the pleadings of the Superior Courts, and for the relief of the people.

The following resolution and bill were introduced and severally disposed of, as stated, viz:

By Mr. Smith, of Columbus: Resolution proposing a Joint Select Committee, of three from the House and two from the Senate, upon the subject of adjournment. Adopted, and message sent to the Senate accordingly.

By Mr. Burgess: Bill to authorize W. S. Grandy, and others, to construct a toll-bridge across Pasquotank river. Referred to Committee on Corporations.

Received a message from the Senate, transmitting recom-

mendations of magistrates for the counties of Cumberland and Camden; which were concurred in.

Also, proposing to vote forthwith for Solicitor of the 6th Judicial District; which proposition, on motion of Mr. Hutchison, was laid on the table.

The calendar was then taken up, and the following bills, coming up on their second reading, were severally disposed of, as stated, viz:

Bill to appoint a tax collector for the county of Lenoir. Referred to Committee on Judiciary.

Resolution providing for collecting of laws, &c., and distributing to justices newly appointed. Tabled.

Bill to repeal an act "authorizing the R. & G. R. R. Co. to establish a ferry at Gaston." Tabled.

Bill to assist owners of real estate in securing the titles therefor. Rejected.

Bill improving the law of evidence. Amendments of the Committee adopted, and passed secondr eading.

Bill to increase the tax on spirituous liquors manufactured from grain. Tabled.

The hour having arrived for the consideration of the special order, viz: Bill to change the jurisdiction of the courts and the rules of pleading therein,—the same was taken up.

Mr. Manly moved to amend, by inserting, after the word "law," in line 5, sec. 1, the words "arising out of contracts;" which was adopted.

The bill then passed its second reading; and its further consideration was made the special order of the day for Friday next, 23d inst., 11 o'clock.

The consideration of the calendar was then resumed, and the bill "to enable the Banks of the State to close business," coming up on its second reading.

Mr. McAden moved to amend the same, by striking out, in section 1, the words "for the equal benefit of all the creditors," and inserting, in lieu thereof, the words "according

to the laws of the State relative to assignments;" which did not prevail.

The bill then passed its second reading,—yeas 70, nays 19; the yeas and nays being demanded by Mr. Scoggin.

Those who voted in the affirmative, are:

Messrs. Ashworth, Beasley, Black, Blackmer, Blair, Blythe, Bryson, Burton, Cameron, Campbell, Candler, Carson, Craig, Crawford, Dalby, Davis, of Carteret, Dickey, Donnell, Dunn, Faircloth, of Greene, Farrow, Flythe, Gaines, Garland, Gidney, Hamilton, Hilliard, Hodnett, Holderby, Hoke, Holmes, Horton, Houston, Hutchison, Jenkins, of Gaston, Jenkins, of Granville, Jenkins, of Warren, Jones, Kinney, Leigh, of Tyrrell, Logan, Lyon, Matthews, McAden, McDonald, McGuire, McIntosh, Melson, Moore, of Alamance, Moore, of Chatham, Murrill, Niven, Newsum, Page, Palmer, Potter, Rosebro', Simmons, Smith, of Columbus, Smith, of Guilford, Stilley, Scoggin, Teague, Thompson, Trull, Waugh, Whitley, Wilson, Yellowley and York.

Those who voted in the negative are:

Messrs. Barnett, Bonner, Burgess, Cox, Foster, Furr, Harper, Hyman, Judkins, Kenan, Lee, of Gates, Luke, Marler, McNair, Moore, of Martin, Shaw, Smith, of Cumberland, Smith, of Hertford and Williams.

The bill "for the relief of sheriffs and tax collectors" coming up on its third reading,

Mr. Melson moved to amend, by adding, at the close of section 1,

"*Provided*, That the provisions of this bill shall not apply to the county of Washington."

Pending the consideration of which amendment, Mr. Harper moved that the bill be referred to the Committee on Finance; which motion prevailed.

Received a message from the Senate, concurring in the House recommendations of magistrates for the counties of Washington, Nash, Bladen and Davidson.

Also, concurring in the House proposition to raise a Joint Select Committee on the subject of adjournment, and naming Messrs. Harriss, of Rutherford, and Covington, as the Senate branch of said committee.

Whereupon, the Speaker designated Messrs. Smith, of Columbus, Blackmer and Hoke, as the committee on the part of the House.

Also, transmitting the following engrossed resolution and asking the concurrence of the House therein, viz:

Resolution amendatory of the resolution for supplying artificial limbs to maimed soldiers, &c.;

Which, under a suspension of the rules, passed its several readings, and was ordered to be enrolled.

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

WEDNESDAY, February 21, 1866.

Prayer by Rev. Mr. Hardie.

Additional recommendations of magistrates for the counties of Rockingham, Polk and Gaston were submitted, approved and sent to the Senate for concurrence.

Mr. Holmes, from the Committee on Finance, reported favorably, with an amendment, upon the resolution concerning official papers in the clerk's office. The amendment of the committee was adopted, and, under a suspension of the rules, the resolution passed its several readings and was ordered to be engrossed.

Mr. Blackmer, from the Committee on Corporations, reported favorably upon

Bill to revive and amend an act to incorporate Sulphur Springs Camp Ground, in the county of Cleaveland; and

Bill to authorize W. S. Grandy, and others, to construct a toll-bridge across Pasquotank river.

The following bills were introduced and disposed of as stated, viz:

By Mr. Candler: Bill to amend the charter of the Ashville and Greenville Plank Road Company. Referred to the Committee on Corporations.

By Mr. McAden: Bill to authorize the Chairman of the County Court for Alamance to sell Real Estate. Placed on file.

The calendar of bills on their second reading was then taken up, and the following dispositions were made:

Bill to regulate pleadings in the Courts of Law of this State. Tabled.

Bill to consolidate the acts relating to the courts and for other purposes. Laid on the table for the present.

On motion of Mr. Waugh, a message was sent to the Senate, proposing to ballot forthwith for a Solicitor for the 6th Judicial District.

The Senate concurring, the House proceeded to vote as follows, under the superintendence of Messrs. Rosebro' and Jones:

For Mr. Caldwell:—Messrs. Speaker, Allison, Ashworth, Beasley, Blair, Blythe, Caldwell, Campbell, Carson, Craig, Crawford, Dickey, Faircloth, of Greene, Farrow, Flythe, Gidney, Hamilton, Harper, Harrison, Hilliard, Hodnett, Horton, Houston, Jenkins, of Gaston, Kinney, Logan, Lucas, Lyon, Matthews, McDonald, McGuire, McIntosh, Moore, of Chatham, Mott, Nicks, Page, Palmer, Potter, Rosebro', Smith, of Guilford, Smith, of Hertford, Scoggin, Teague, Thompson, Waugh, Whitley, Wilson and York—48.

For Mr. Dargan—Messrs. Arrington, Baxter, Black, Bonner, Bryson, Burgess, Burton, Cameron, Cowan, Cox, Dunn, Foster, Furr, Gaines, Hawes, Holderby, Hoke, Hyman, Jenkins, of Granville, Jenkins, of Warren, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Luke, Manly, Marler, McAden, McNair, Melson, Moore, of Alamance, Moore, of Martin, Murrill, Niven,

Newsum, Shaw, Simmons, Smith, of Columbus, Stilley, Trull, Wheeler, Williams and Yellowley—43.

For Mr. Furches—Messrs. Holmes and Jones—2.

Mr. Hutchison voted for Mr. Dowd.

Mr. Rosebro', from the Committee appointed to superintend the foregoing election, reported that the whole number of votes cast was 125,—necessary to a choice 63; that Mr. W. P. Caldwell had received 66, Mr. A. J. Dargan 56, Mr. Furches 2 and Mr. Dowd 1; and that Mr. Caldwell, having received a majority of the whole number of votes cast, was duly elected.

Received a message from the Senate, concurring in the recommendation of magistrates for the counties of Rockingham, Polk and Gaston.

The hour having arrived for the consideration of the special order, viz: Bill concerning Negroes, Indians and persons of color, or of mixed blood,—the same was taken up, when the amendments recommended by the Judiciary Committee were successively adopted.

Mr. Smith, of Hertford, moved to amend, by inserting, after the words "persons of color," in line 1, sec. 9, the words "not otherwise incompetent;" which was adopted.

Mr. McNair moved that the bill be indefinitely postponed, which was decided in the negative,—yeas 27, nays 72.

Mr. McNair demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Arrington, Burgess, Dalby, Dargan, Davis, of Halifax, Ferrell, Foster, Harrison, Hilliard, Hodnett, Jenkins, of Granville, Jenkins, of Warren, Judkins, Kenan, Lucas, Luke, Marler, McNair, Niven, Nicks, Shaw, Simmons, Smith, of Cumberland, Smith, of Guilford, Thigpen, Williams and York.

Those who voted in the negative are:

Messrs. Allison, Ashworth, Baxter, Beasley, Blackmer, Blair, Blythe, Bonner, Bryson, Burton, Caldwell, Cameron, Campbell, Candler, Carson, Cowan, Cox, Craig, Crawford, Davis, of

Carteret, Dickey, Dunn, Faircloth, of Greene, Farrow, Ferrell, Flythe, Furr, Gaines, Gidney, Harper, Henry, Holderby, Hoke, Holmes, Horton, Houston, Hutchison, Hyman, Jenkins, of Gaston, Jones, Kinney, Lee, of Gates, Leigh, of Tyrrell, Logan, Lyon, Manly, Matthews, McAden, McDonald, McGuire, McIntosh, Melson, Moore, of Alamance, Moore, of Chatham, Moore, of Martin, Mott, Newsum, Page, Palmer, Potter, Rosebro', Smith, of Columbus, Smith, of Hertford, Stilley, Scoggin, Teague, Thompson, Trull, Waugh, Wheeler, Whitley and Wilson.

Mr. Hyman moved to amend, by adding, at the end of sec. 9, as follows:

"*Provided*, That this section shall not go into effect, until jurisdiction in matters relating to freedmen shall be fully committed to the Courts of the State."

Which was adopted,—yeas 60, nays 43; the yeas and nays being demanded by Mr. Hyman.

Those who voted in the affirmative are:

Messrs. Allison, Arrington, Baxter, Beasly, Black, Bonner, Burgess, Burton, Cameron, Carson, Coates, Cowan, Craig, Crawford, Dargan, Dickey, Dunn, Faircloth, of Greene, Farrow, Foster, Gaines, Garland, Gidney, Hamilton, Hawes, Holderby, Hoke, HortonHutchison, Hyman, Jenkins, of Warren, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Lyon, Manly, Marler, Matthews, McAden, McNair, Melson, Moore, of Alamance, Moore, of Chatham, Moore, of Martin, Murrill, Niven, Rosebro', Shaw, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Stilley, Teague, Thigpen, Whitley and Williams.

Those who voted in the negative are:

Messrs. Ashworth, Blackmer, Blair, Blythe, Bryson, Caldwell, Campbell, Candler, Cox, Dalby, Davis, of Carteret, Faircloth, of Wayne, Ferrell, Flythe, Furr, Harper, Harrison, Henry, Hodnett, Holmes, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Luke, McDonald, McGuire, McIn-

tosh, Mott, Nicks, Newsum, Page, Palmer, Potter, Scoggin, Thompson, Trull, Waugh, Wheeler, Wilson, Yellowley and York.

Mr. Niven moved to amend by inserting, in line 11, sec. 5, after the word "office," the words "or before some Justice of the Peace;" in line 14, same section, after the word "purpose," the words "and, if the acknowledgment be made before a Justice of the Peace, such Justice shall report the same in writing to the Clerk of the Court of Pleas and Quarter Sessions, and the Clerk shall enter the same as though the acknowledgment had been made before him;" and, in line 2, sec. 6, after the words "County Court," the words "or some Justice of the Peace in the County in which they reside."

Which amendments were severally adopted.

Mr. Crawford moved further to amend, by striking out the word "May," in line 3, sec. 6, and inserting "September" in lieu thereof; which was carried.

Mr. Jenkins, of Warren, moved to strike out of the bill sections 5 and 6; which did not prevail.

Mr. McNair moved to strike out sec. 9. Lost; yeas 36, nays 64,—the yeas and nays being demanded by Mr. McNair.

Those who voted in the affirmative are:

Messrs. Arrington, Burgess, Coates, Dalby, Dargan, Dickey, Ferrell, Foster, Gidney, Hamilton, Harrison, Henry, Hilliard, Hodnett, Holderby, Horton, Jenkins, of Granville, Jenkins, of Warren, Judkins, Kenan, Leigh, of Tyrrell, Lucas, Luke, Marler, McNair, Murrill, Niven, Shaw, Simmons, Smith, of Cumberland, Smith, of Guilford, Scoggin, Thigpen, Waugh, Williams and York.

Those who voted in the negative are:

Messrs. Allison, Ashworth, Baxter, Beasley, Black, Blackmer, Blair, Blythe, Bonner, Bryson, Burton, Caldwell, Cameron, Campbell, Candler, Carson, Cowan, Cox, Craig, Crawford, Davis, of Carteret, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Farrow, Flythe, Furr, Gaines, Harper, Hawes, Hoke, Holmes,

Houston, Hutchison, Hyman, Jenkins, of Gaston, Jones, Kinney, Lee, of Gates, Logan, Lyon, Manly, McAden, McDonald, McGuire, McIntosh, Melson, Moore, of Alamance, Moore, of Martin, Mott, Nicks, Page, Palmer, Rosebro', Smith, of Columbus, Smith, of Hertford, Stilley, Teague, Thompson, Trull, Wheeler, Whitley, Wilson and Yellowley.

Mr. Jenkins, of Warren, offered the following as a substitute for the entire bill, viz:

"*Be it enacted, &c.*, That the slaves recently emancipated, by the Proclamation of the President of the United States, are entitled to all the rights and privileges of free negroes in this State."

Mr. Dargan moved that the House do now adjourn until to-morrow morning, 10 o'clock. Lost.

Mr. Jenkins, of Granville, moved to lay the proposed substitute on the table; which did not prevail.

Mr. Baxter moved that the House adjourn; which was decided in the negative,—yeas 30, nays 72.

Mr. Caldwell demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Baxter, Bryson, Campbell, Coates, Cowan, Craig, Dargan, Farrow, Ferrell, Foster, Gaines, Garland, Gidney, Hamilton, Henry, Horton, Jenkins, of Granville, Jenkins, of Warren, Judkins, Kenan, Leigh, of Tyrrell, Luke, Lyon, Moore, of Martin, Mott, Smith, of Hertford, Thigpen, Trull, Waugh and Yellowley.

Messrs. Allison, Arrington, Ashworth, Beasley, Black, Blackmer, Blair, Blythe, Bonner, Burgess, Burton, Caldwell, Cameron, Candler, Carson, Cox, Crawford, Dalby, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Flythe, Furr, Harper, Harrison, Hawes, Hilliard, Hodnett, Holderby, Hoke, Holmes, Houston, Hutchison, Hyman, Jenkins, of Gaston, Jones, Kinney, Lee, of Gates, Logan, Lucas, Manly, Marler, McAden, McDonald, McGuire, McIntosh, McNair, Melson, Moore, of Alamance, Murrill, Niven, Nicks,

Page, Palmer, Potter, Rosebro', Shaw, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith of Guilford, Stilley, Scoggin, Teague, Thompson, Wheeler, Whitley, Williams, Wilson and York.

Mr. Jenkins, of Warren, moved to postpone the further consideration of the subject until the 4th of July next. Lost.

The question then recurring upon the substitute offered by Mr. Jenkins, it was not adopted,—yeas 40, nays 61.

Mr. Jenkins demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Arrington, Black, Burgess, Coates, Dalby, Dargan, Dickey, Farrow, Ferrell, Foster, Gidney, Hamilton, Harrison, Hawes, Henry, Hilliard, Horton, Jenkins, of Granville, Jenkins, of Warren, Jones, Judkins, Kenan, Leigh, of Tyrrell, Lucas, Luke, Lyon, Marler, McDonald, McNair, Murrill, Niven, Nicks, Shaw, Simmons, Smith, of Cumberland, Scoggin, Thigpen, Waugh, Williams and York.

Those who voted in the negative are:

Messrs. Allison, Ashworth, Baxter, Beasley, Blackmer, Blair, Blythe, Bonner, Bryson, Burton, Caldwell, Cameron, Campbell, Candler, Carson, Cowan, Cox, Craig, Crawford, Davis, of Carteret, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Flythe, Furr, Gaines, Garland, Harper, Hodnett, Holderby, Hoke, Holmes, Houston, Hutchison, Hyman, Jenkins, of Gaston, Kinney, Lee, of Gates, Logan, Manly, McAden, McGuire, McIntosh, Melson, Moore, of Martin, Mott, Page, Palmer, Potter, Rosebro, Smith, of Columbus, Smith, of Guilford, Smith, of Hertford, Stilley, Teague, Thompson, Trull, Wheeler, Whitley, Wilson and Yellowley.

Mr. McNair moved that the House do now adjourn. Lost.

The bill then passed its second reading,—yeas 54, nays 45.

Those who voted in the affirmative are:

Messrs. Allison, Ashworth, Baxter, Beasley, Blackmer, Blair, Blythe, Bonner, Bryson, Burton, Caldwell, Cameron, Campbell, Candler, Carson, Cowan, Cox, Crawford, Davis, of Carteret,

Dunn, Faircloth, of Greene, Faircloth, of Wayne, Harper, Hawes, Hoke, Holmes, Houston, Hutchison, Hyman, Jenkins, of Gaston, Kinney, Lee, of Gates, Logan, Lyon, Manly, McAden, McDonald, McGuire, McIntosh, Melson, Moore, of Alamance, Moore, of Martin, Mott, Page, Palmer, Potter, Rosebro', Stilley, Teague, Thompson, Wheeler, Whitley, Wilson and Yellowley.

Those who voted in the negative, are:

Messrs. Arrington, Black, Burgess, Coates, Craig, Dalby, Dargan, Dickey, Farrow, Ferrell, Flythe, Foster, Gaines, Garland, Hamilton, Harrison, Henry, Hilliard, Hodnett, Holderby, Horton, Jenkins, of Granville, Jenkins, of Warren, Jones, Judkins, Kenan, Leigh, of Tyrrell, Lucas, Luke, Marler, McNair, Moore, of Chatham, Murrill, Niven, Nicks, Shaw, Simmons, Smith, of Cumberland, Smith, of Guilford, Scoggin, Thigpen, Trull, Waugh, Williams and York.

Received a message from the Senate, transmitting the following engrossed bills, &c., and asking the concurrence of the House therein, viz:

Bill to amend an act, entitled "An act for the relief of Landlords;"

Resolution making an appropriation for the Governor's Mansion;

Bill to incorporate the Carolina Joint Stock Insurance and Trust Company;

Bill to provide for collection of the taxes of 1865, in counties where the sheriff, or other officer, was qualified under the Revenue Ordinance of the Convention;

Resolution instructing the Public Treasurer to pay over to the County Trustee of Randolph two hundred and fifty dollars;

Bill to give original jurisdiction to the Supreme Court in certain cases;

Bill for relief of Wm. B. Campbell, former sheriff of Beau-

fort county; George Dill, former sheriff of Carteret; and A. C. Latham, former sheriff of Craven,—

All of which were respectively placed on file.

Also, bill concerning indictments in the Courts of Oyer and Terminer; which, under a suspension of the rules, passed its several readings, and was ordered to be enrolled.

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

THURSDAY, February 22, 1866.

Prayer by Rev. Dr. Mason.

Additional recommendations of magistrates for the counties of Yancey, Gates and Catawba were submitted, approved and sent to the Senate for concurrence.

Mr. Manly, from the Committee on the Judiciary, reported adversely to

Bill to repeal so much of section 2, chapter 68, Revised Code, entitled "Marriages," as requires the clerk to take bond;

Senate bill to appoint a Tax Collector for Lenoir county;

Senate bill concerning private acts of incorporation.

And, favorably, upon Senate bill to outlaw felons who flee from justice.

Mr. Manly, from the same committee, to whom was referred bill "in relation to Landlords," reported back a substitute for the same, entitled "A bill for the relief of owners of lands and houses;" which was read and placed on file.

Mr. Blackmer, from the Committee on Corporations, reported favorably upon

Bill to incorporate the North-Carolina Mining Company; and

Bill to amend the charter of the Ashville and Greenville Plank Road Company.

Received a message from the Senate, announcing that they had passed the engrossed bill "to regulate Salaries and Fees," with sundry amendments, in which they asked the concurrence of the House. The House refused to concur, and the Senate were informed thereof by Message.

Mr. McDonald offered the following resolution, which was not adopted, viz:

Resolved, That this House adjourn 'til 10 o'clock to-morrow morning, from respect and honor for the memory of George Washington, the Father of his country.

The following resolutions and bills were introduced and disposed of as stated, viz:

By Mr. Waugh: Resolution precluding, from and after to-day, the consideration of recommendations of Justices of the Peace. Lies over under the rules.

By Mr. Allison: Resolution proposing a Joint Select Committee, of four from the House and two from the Senate, to consider the policy and practicability of establishing a National Bank, based upon a mortgage of Real Estate, on the part of individuals, and the hypothecation of stocks, on the part of the State. Adopted, and the concurrence of the Senate asked by message.

By Mr. Waugh: Resolution requesting the Governor to communicate whether any action is necessary, on the part of the General Assembly, in closing the business engaged in by the State for producing salt during the recent war. Adopted.

By Mr. Gidney: Resolution (accompanied by Memorial) in favor of J. L. & W. S. Alexander. Referred to the Committee on Claims.

By Mr. Lucas: Bill to amend the act of 1862–'3, concerning Justices of the Peace. Placed on file.

By Mr. Hutchison: Bill to incorporate the Mayor and Aldermen of the town of Charlotte. Referred to Committee on Corporations.

Received a message from the Senate, announcing that they

had passed, with amendments, the bill "authorizing the County Court of Cumberland to appoint an Inspector of Naval Stores," in which they asked the concurrence of the House. The House concurred, and the Senate were informed thereof by message.

The calendar of bills on their second reading was then taken up, and the following dispositions made, to wit:

Bill to authorize the exchange of the stocks held by the State in certain railroads and canals, for bonds of the State or the interest thereon now due, and for other purposes. Rejected.

Bill to stay executions, and for other purposes. Tabled.

Bill to alter pleadings of the Superior Court, and for the relief of the people. Tabled.

Bill to revive and amend an act, entitled "An act to incorporate Sulphur Springs Camp Ground, in the county of Cleaveland." Under a suspension of the rules, passed its several readings and ordered to be engrossed.

Bill to authorize W. S. Grandy, and others, to construct a toll-bridge across Pasquotank river. Under a suspension of the rules, passed its several readings and ordered to be engrossed.

Bill to authorize the Chairman of the County Court of Alamance to sell Real Estate. Passed second reading.

The hour having arrived for the consideration of the special order, to wit: Bill concerning assignments,—the same passed its second reading.

Received a message from the Senate, announcing that that body would adjourn, at 12 o'clock, out of respect for the memory of George Washington.

Whereupon, on motion of Mr. Smith, of Columbus, the House adjourned until to-morrow morning, 10 o'clock.

FRIDAY, February 23, 1866.

Prayer by Rev. Dr. Smedes.

Additional recommendations of magistrates for the counties of Lenoir, Brunswick and Edgecombe were submitted, approved, and sent to the Senate for concurrence.

Mr. Blackmer, from the Committee on Corporations, reported favorably, with amendments, upon the bill to incorporate the Mayor and Aldermen of Charlotte.

Mr. Waugh, from the Select Committee to whom was referred the engrossed resolution "to print the acts of the special sessions of 1862–'63, and also of 1864–'65," submitted a report thereon, and asked to be discharged from the further consideration of the same; which was so ordered.

Under a suspension of the rules, the resolution was put upon its third reading, when

Mr. McDonald moved to amend, by inserting the words "and Journals" after the word "Acts."

Mr. Waugh moved to lay the amendment upon the table, which was not carried,—yeas 45, nays 57; the yeas and nays being demanded by Mr. Waugh.

Those who voted in the affirmative are:

Messrs. Allison, Baxter, Bonner, Bryson, Burgess, Caldwell, Cameron, Cowan, Cox, Farrow, Foster, Gaines, Gidney, Harper, Harrison, Hawes, Hodnett, Holderby, Hoke, Hutchison, Hyman, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Lucas, Luke, Manly, McAden, McNair, Moore, of Martin, Mott, Murphy, Niven, Paschall, Shaw, Smith, of Cumberland, Smith, of Hertford, Thigpen, Waugh, Whitley, Williams and Yellowley.

Those who voted in the negative are:

Messrs. Ashworth, Beasley, Black, Blackmer, Blair, Blythe, Burton, Campbell, Candler, Carson, Coates, Craig, Crawford, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Ferrell, Flythe, Furr, Hamilton, Henry, Hilliard, Holmes, Horton, Houston, Jenkins, of Gaston, Jenkins, of

Granville, Jones, Kinney, Logan, Matthews, McDonald, McGuire, McIntosh, Melson, Moore, of Chatham, Murrill, Nicks, Newsum, Palmer, Potter, Rosebro', Russell, Simmons, Smith, of Columbus, Smith, of Guilford, Stilley, Seoggin, Teague, Thompson, Trull, Webb, Wheeler, Wilson and York.

The question recurring upon the amendment, it was adopted.

And the resolution, as amended, then passed its third reading and was ordered to be sent to the Senate for concurrence in the amendment,—yeas 59, nays 43; the yeas and nays being demanded by Mr. Scoggin.

Those who voted in the affirmative are:

Messrs. Ashworth, Beasley, Black, Blackmer, Blair, Blythe, Bryson, Burton, Campbell, Candler, Carson, Coates, Craig, Crawford, Davis, of Carteret, Dickey, Dunn, Faircloth, of Green, Faircloth, of Wayne, Flythe, Furr, Hamilton, Harrison, Henry, Hodnett, Hoke, Holmes, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Logan, Matthews, McDonald, McGuire, McIntosh, Melson, Moore, of Chatham, Murrill, Nicks, Newsum, Palmer, Potter, Rosebro', Russell, Simmons, Smith of Columbus, Smith, of Guilford, Stilley, Seoggin, Teague, Thompson, Trull, Webb, Wheeler, Wilson and York.

Those who voted in the negative are:

Messrs. Allison, Baxter, Bonner, Burgess, Caldwell, Cameron, Cowan, Cox, Farrow, Ferrell, Foster, Gaines, Gidney, Harper, Hawes, Hilliard, Holderby, Hutchison, Hyman, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Lucas, Luke, Manly, Marler, McAden, McNair, Moore, of Martin, Mott, Murphy, Niven, Pasehall, Shaw, Smith, of Cumberland, Thigpen, Waugh, Whitley, Williams and Yellowley.

The following resolutions and bills were introduced, and severally disposed of, as stated, viz:

By Mr. Jenkins, of Warren: Resolutions of thanks to the President of the United States. Under a suspension of the

rules, passed their several readings, and ordered to be engrossed.

By Mr. Hodnett: Joint resolution requesting the Governor to have the National Flag hoisted over the Capitol during the sessions of the Legislature. Adopted,—yeas 95, nays none; the yeas and nays being demanded by Mr. Hodnett.

Those who voted in the affirmative are:

Messrs. Allison, Ashworth, Beasley, Black, Blackmer, Blair, Blythe, Bonner, Bryson, Burgess, Burton, Caldwell, Cameron, Campbell, Candler, Carson, Coates, Cox, Craig, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Farrow, Ferrell, Flythe, Foster, Furr, Gidney, Hamilton, Harper, Harrison, Hawes, Henry, Hodnett, Holderby, Holmes, Horton, Houston, Hutchison, Hyman, Jenkins, of Gaston, Jenkins, of Granville, Jenkins, of Warren, Jones, Joyner, Judkins, Kenan, Kinney, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Manly, Matthews, McAden, McDonald, McEachern, McGuire, McIntosh, McNair, Moore, of Chatham, Moore, of Martin, Mott, Murphy, Murrill, Niven, Nicks, Newsum, Palmer, Paschall, Potter, Rosebro', Russell, Shaw, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith of Guilford, Stilley, Scoggin, Teague, Thigpen, Thompson, Trull, Waugh, Webb, Wheeler, Whitley, Williams, Wilson and York.

By Mr. Moore, of Chatham: Resolution instructing the Judiciary Committee to enquire into the expediency of passing a law extending a general amnesty to persons charged with misdemeanors prior to June 1, 1865.

By Mr. Wheeler: Resolution reducing *per diem* and mileage of the officers and members of the General Assembly.

On motion of Mr. Gaines, laid on the table.

By Mr. Baxter: Resolution declaring that it is not obligatory on members of the Legislature to receive the compensation now allowed, provided they deem it wrong or inexpe-

dient to do so. Indefinitely postponed, on motion of Mr. Paschall.

By Mr. Wilson: Resolution prescribing compensation of the officers and members of the General Assembly.

On motion of Mr. Hoke, laid on the table.

By Mr. Manly: Bill supplemental to, and amendatory of, an act to re-organize the Corporation Government of the City and Academy of Newbern, passed at this session of the General Assembly. Referred to the Committee on Finance.

By Mr. Farrow: Bill to authorize the sheriff of Hyde county to collect taxes due in 1861. Placed on file.

By Mr. Lucas: Bill to amend section 64, chap. 40, Revised Code. Placed on file.

On motion of Mr. Harper, the "Revenue" bill was made the special order for Tuesday next, 27th inst., 11 o'clock, and for the same hour each day thereafter until disposed of.

On motion of Mr. Faircloth, of Wayne, the engrossed bill "to appoint a Tax Collector for the County of Lenoir," was re-committed to the Judiciary Committee.

Received a message from the Senate, concurring in the House resolution requesting the Governor to cause the U. S. Flag to be raised over the Capitol.

Also, recommending certain appointments of magistrates for the counties of Person, Pitt, Catawba and Union; which were concurred in.

Also, concurring in the proposition to raise a Joint Select Committee on the subject of Real Estate Bank, &c., and announcing Messrs. Carter and Covington as the Senate branch of said committee. Whereupon, the Speaker designated Messrs. Allison, Thompson, Manly and Murphy as the committee on the part of the House.

Also, insisting upon their amendments to the House bill "to regulate Salaries and Fees," and proposing a committee of Conference: Which was concurred in, and Messrs. Hoke,

Henry, Blackmer and Kenan announced as the committee on the part of the House.

The resolution, introduced, on yesterday, by Mr. Waugh, precluding the consideration of recommendations of magistrates from and after to-day, was, on motion, laid on the table.

Received a message from his Excellency, the Governor, transmitting two memorials from Cherokee Indians in this State; which, together with the message, were ordered to be sent to the Senate.

Mr. Smith, of Hertford, from the Committee on Finance, by leave, reported a bill, entitled "A bill for the collection of Revenue," and recommended its passage. Placed on file and ordered to be printed.

Mr. Smith, from the same committee, to whom was referred a bill "For the relief of Sheriffs and Tax Collectors," reported, as a partial substitute, a bill "to extend the time for collecting taxes under the Revenue Ordinance of the Convention;" which was read and placed on file.

Received a message from the Senate, refusing to concur in the amendments of the House to the engrossed resolution "to print the acts of the secret sessions of 1862–'3, and also of 1864–'5." Whereupon, on motion, the House receded from its amendments, and the resolution was ordered to be enrolled.

Also, transmitting a report from the Joint Standing Committee on Finance, as to the books and vouchers in the office of the Comptroller.

The hour having arrived for the consideration of the special order, viz: Bill to change the jurisdiction of the courts and the rules of pleading therein,—the same was taken up.

Mr. Smith, of Hertford, moved to amend, by striking out lines 5 and 6, sec. 1, and inserting, in lieu thereof, after the word "nature," the words "not cognizable before a Justice of the Peace and arising out of contracts entered into before

the first day of May, 1865, except where the proceeding shall be by attachment." Which was adopted.

Mr. Manly moved to amend by striking out of lines 1 and 2, sec. 2, the words "sounding in contract," and inserting, in lieu thereof, the words "committed to the exclusive jurisdiction of the Superior Courts of Law by sec. 1 of this Act;" which was adopted.

Mr. Smith, of Hertford, moved further to amend, by adding, after the word "and" in line 16, sec. 3, the words "shall issue;" and by striking out, in line 17, the words "sum recovered," and inserting, in lieu thereof, the word "judgment." Which were adopted.

Mr. Blythe moved further to amend by inserting the words "County or" before the words "Superior Court," in line 3, sec. 3; which did not prevail.

On motion of Mr. Manly, the section was further amended, by striking out, in lines 1 and 2, the words "sounding in contract," and inserting "as aforesaid pending in the Superior Courts."

Mr. Smith, of Hertford, moved further to amend by striking out in line 4, sec. 4, the words "twelve months from the test of such execution," and inserting, instead thereof, "twelve months from the term to which such execution was returned;" which was adopted.

Mr. Smith, of Hertford, moved further to amend, by adding, after the word "repealed," in line 5, sec. 5, the words "except as provided in this act;" which was adopted.

Mr Smith, of Hertford, moved further to amend, by adding, at the end of sec. 6, the following:

"*Provided, however*, That where there is no personal property, or not sufficient to satisfy the plaintiff's demand, it shall be the duty of such officer to levy the execution on the defendant's land, and, where there is no personal property, or the same shall have been exhausted by sales as herein directed, to return the same to the next Superior Court of the county,

where the same preceedings shall be had as in cases of original jurisdiction, in enforcing payment by execution."

Which was adopted.

Mr. Smith, of Hertford, moved further to amend, by adding, after the words "Justices of the Peace," in line 2, sec. 7. the words "where the proceeding is not by attachment;" which was adopted.

Mr. Smith, of Hertford, moved further to amend, by adding, at the end of sec. 7, the following:

"*Provided, however*, That all proceedings before any Justice or Justices for any forcible entry or detainer, or against any tenant or other person holding over against a landlord, or in any other case founded in tort, where jurisdiction has heretofore been, or may hereafter be, given to one or more justices by existing law, shall not be subject to the provisions of this section, but all such cases may be prosecuted to judgment and execution in the manner prescribed by law, prior to Sept. 18, 1861, or as provided in any act or acts touching such wrongs and conferring such jurisdiction."

Mr. Crawford moved to amend the amendment, by adding, at its close:

"*Provided, further*, That sums less than ten dollars shall not be so sub-divided;" which did not prevail.

The amendment was then adopted.

Mr. Blackmer moved further to amend by striking out the first *proviso* in sec. 9; which was not carried.

Mr. Jenkins, of Warren, moved to strike out sec. 9. entire; which was decided in the negative,—yeas 46, nays 53; the yeas and nays being demanded by Mr. Crawford.

Those who voted in the affirmative are:

Messrs. Allison, Baxter, Blackmer, Bonner, Bryson, Burgess, Burton, Campbell, Coates, Cox, Craig, Davis, of Halifax, Faircloth, of Wayne, Foster, Gaines, Harper, Harrison, Hawes, Hilliard, Holderby, Hoke, Hutchison, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Lucas, Manly, McAden,

McIntosh, McNair, Moore, of Martin, Murphy, Murrill, Niven, Rosebro', Shaw, Smith, of Cumberland, Smith, of Hertford, Thigpen, Trull, Webb, Whitley, Williams and Yellowley.

Those who voted in the negative, are:

Messrs. Arrington, Ashworth, Beasley, Blair, Blythe, Caldwell, Cameron, Candler, Carson, Crawford, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Farrow, Ferrell, Flythe, Furr, Gidney, Hamilton, Henry, Hodnett, Holmes, Horton, Houston, Jenkins, of Gaston, Jones, Kinney, Leigh, of Tyrrell, Logan, Marler, Matthews, McDonald, McEachern, McGuire, Melson, Moore, of Chatham, Mott, Nicks, Newsum, Palmer, Paschall, Potter, Russell, Simmons, Smith, of Columbus, Smith, of Guilford, Stilley, Scoggin, Thompson, Waugh, Wilson and York.

Mr. Smith, of Hertford, moved the following as a substitute for sec. 9, viz:

"That all judgments confessed to secure priority in the payment of debts, and all mortgages and deeds in trust hereafter executed, unless it is therein declared that the proceeds of sale thereunder shall be applied to the payment *pro rata* of all the debts and liabilities of the party making the same, shall be void as to creditors: *Provided*, that this section shall not apply to conveyances made by Sheriffs, or other public officers, for the indemnity of sureties to official bonds, nor to mortgages nor deeds in trust taken at the time of sale of land, or other property, to secure the purchase money due therefor, or to secure from loss sureties to any bond or note given at the time of such sale for such purchase money, nor to deeds conveying any crop or crops growing upon land leased in order to secure to the lessor payment of the rent reserved."

Which was adopted.

Mr. Manly moved to amend the substituted section, by adding, at the end thereof, the following:

"*Provided, further*, That the provisions of this section shall not apply to conveyances made by a guardian for the security of his ward, or for the security of his sureties."

Which was adopted.

Mr. Cameron then moved to strike out the 9th section, as substituted for; which was decided in the affirmative,—yeas 55, nays 48; the yeas and nays being demanded by Mr. Crawford.

Those who voted in the affirmative, are:

Messrs. Allison, Arrington, Baxter, Black, Blackmer, Bonner, Bryson, Burgess, Burton, Campbell, Candler, Coates, Cowan, Cox, Craig, Davis, of Halifax, Faircloth, of Wayne, Ferrell, Foster, Gaines, Gidney, Harper, Harrison, Hawes, Hilliard, Holderby, Hutchison, Jenkins, of Granville, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Lucas, Luke, Manly, Marler, McAden, McIntosh, McNair, Moore, of Martin, Murphy, Murrill, Niven, Rosebro', Shaw, Smith, of Cumberland, Smith, of Hertford, Thigpen, Trull, Webb, Whitley, Williams, Wilson and Yellowley.

Those who voted in the negative, are:

Messrs. Ashworth, Beasley, Blair, Blythe, Caldwell, Cameron, Carson, Crawford, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Farrow, Flythe, Furr, Henry, Hodnett, Hoke, Holmes, Horton, Houston, Jenkins, of Gaston, Jones, Kinney, Leigh, of Tyrrell, Logan, Matthews, McDonald, McEachern, McGuire, Melson, Moore, of Chatham, Mott, Nicks, Newsum, Palmer, Paschall, Potter, Russell, Simmons, Smith, of Columbus, Smith, of Guilford, Stilley, Scoggin, Teague, Thompson, Waugh and York.

Pending the further consideration of tbe bill,

On motion of Mr. Craig, the House adjourned until tomorrow morning, 10 o'clock.

SATURDAY, February 24, 1866.

James S. Harrington, member elect from the county of Harnett, appeared, produced his credentials, was qualified, according to law, and took his seat.

Additional recommendations of magistrates for the counties

of Cumberland, Orange and Currituck were submitted, approved and sent to the Senate for concurrence.

Leave of absence until Thursday next was granted to Messrs. McGuire and Dunn, and, for an indefinite period, to Mr. Smith, of Hertford.

Mr. Cameron presented a memorial from Geo. Cole, a citizen of Richmond county, which was ordered to be transmitted to the Senate.

Mr. Manly, from the Committee on the Judiciary, to whom was referred a resolution of enquiry as to the expediency of passing a law extending a general amnesty to persons charged with misdemeanors prior to June 1, 1865, submitted a report adverse thereto, and asked to be discharged from the further consideration of the subject; which was so ordered.

Mr. Manly, from the same committee, reported favorably, with amendments, upon the bill "to allow persons of Indian blood to bear testimony in controversies at law and in equity;" and

Bill relating to debts created during the war.

Mr. Harper, from the Committee on Finance, to whom was referred the bill "for the relief of Sheriffs and Tax Collectors," reported the same back, with amendments, and asked to be discharged from the further consideration of the subject; which was ordered accordingly.

Mr. Smith, of Columbus, from the Joint Select Committee upon the subject of adjournment, reported the following resolution, and asked the concurrence of the House therein, viz:

"*Resolved*, (the Senate concurring,) That the General Assembly adjourn *sine die* on Monday, the 12th day of March next, at 7 o'clock, A. M."

Mr. York moved to amend, by inserting "th 5th day of March next," in lieu of the "12th day of March next;" which did not prevail.

The resolution was then passed and sent to the Senate for concurrence therein.

The following resolutions and bills were introduced and severally disposed of as stated. viz:

By Mr. McIntosh: Resolution providing for night sessions. Lies over under the rules.

By Mr. McDonald: Resolution providing for earlier morning meeting of the House. Lies over under the rules.

By Mr. Jenkins, of Gaston: Resolution concerning repairs to the State Capitol. Placed on file.

By Mr. McNair: Bill to authorize registers to appoint deputies. Referred to Judiciary Committee.

By Mr. Blythe: Bill for relief of constables. Referred to Committee on Salaries and Fees.

By Mr. Burgess: Bill to incorporate the Business Exchange of Elizabeth City, N. C., and vicinity. Referred to the Committee on Corporations.

Received a message from his Excellency, the Governor, in reply to the enquiry of the House concerning the State's interest in the manufacture of salt; which was read and ordered to be transmitted to the Senate.

Received a message from the Senate, transmitting recommendations of magistrates for the counties of Nash and Washington; which were concurred in.

Also, proposing to vote forthwith for one Trustee of the University; and

The House concurring, it proceeded to ballot at once, under the superintendence of Messrs. Kenan and Hilliard.

Mr. Kenan, from the committee appointed to superintend the election, reported that the whole number of votes cast was 128,—necessary to a choice 65; that Mr. Bynum had received 89, Mr. Hoke 38, and Mr. Haughton 1; and that Mr. Bynum, having received a majority of the whole number of votes cast, was duly elected. Which report was concurred in.

The unfinished business of yesterday, viz: The "Bill to change the jurisdiction of the courts and the rules of pleading therein," was resumed.

Mr. Blair moved to amend by striking out lines 5 and 6, sec. 10; which was adopted.

Mr. Waugh moved further to amend by inserting, at the end of sec. 13, the following:

"But proceedings may be instituted and prosecuted to judgment and execution in all respects as is provided in the said chapter, or any act or acts since passed concerning attachments."

Wich was adopted.

Mr. Waugh moved further to amend, by inserting, as an additional section, between sections 13 and 14, as follows:

"SEC. 14. *Be it further enacted*, That any action or suit heretofore brought, under any existing law, returnable to the next Fall term of any Superior Court of Law or Equity, shall be deemed to have been properly brought to said courts, as if instituted after the next Spring term of said courts, and shall be proceeded with according to the provisions of this act."

Which was adopted.

Mr. Waugh moved further to amend, by striking out sec. 14, (printed bill,) and inserting the following in lieu thereof, viz:

"SEC. 15. *Be it further enacted*, That an act, entitled "An act to change the jurisdiction of the courts and the rules of pleading therein," ratified Sept. 11, 1861, and also an act entitled "An act to restore the courts and for other purposes," ratified Dec. 14, 1863, be and the same are hereby repealed, and, except as herein otherwise provided, full jurisdiction, civil and criminal, as conferred in the County Courts, and the said Superior Courts of Law and Equity, in the Revised Code, shall be and the same is hereby restored."

Which was adopted.

Mr. Thompson moved further to amend, by adding, at the end of the substituted section, the following, viz:

"*Provided*, That no one of the provisions of this act, save sec. 1 thereof, shall apply to suits upon the official bonds of

Sheriffs, Coroners, Constables, Clerks of the County and Superior Courts, and Clerks and Masters in Equity; but the remedy in such cases shall remain as it existed in the year 1860."

Which was adopted.

Mr. Blackmer moved further to amend, by inserting, at the close of sec 1, the following:

"*Provided*, That nothing herein contained shall prevent a Court of Pleas and Quarter Sessions from empanneling a jury to try controversies respecting wills upon issues of *devisavit vel non*."

Which was adopted.

Mr. Baxter moved to strike out all after the enacting clause, and insert the following, as a substitute for the entire bill, viz:

"That an act entitled "An act to change the jurisdiction of the courts and the rules of pleading," ratified Sept. 11, 1861, and an act entitled "An act to restore the courts and for other purposes," ratified Dec. 14, 1863, be and the same are hereby declared to be continued in full force and effect until Jan. 1, 1868, and that the said acts, from and after that day, shall be repealed and case to operate, and the law existing before the passage of said acts, or repealed or modified by said acts, shall, after the said Jan. 1, 1868 be restored and be in full force and effect."

Mr. Wilson moved to lay the substitute on the table; which was not adopted,—yeas 18, nays 79; the yeas and nays being demanded by Mr. Wilson.

Those who voted in the affirmative are:

Messrs. Blackmer, Campbell, Carson, Coates, Cox, Crawford, Faircloth, of Greene, Faircloth, of Wayne, Furr, Hoke, Hutchison, Jenkins, of Gaston, Jenkins, of Granville, McEachern, Simmons, Whitley, Williams, and Wilson.

Those who voted in the negative are:

Messrs. Allison, Arrington, Ashworth, Baxter, Beasley, Blair, Blythe, Bonner, Bryson, Burgess, Burton, Caldwell,

Cameron, Candler, Cowan, Craig, Davis, of Carteret, Davis, of Halifax, Dickey, Farrow, Faison, Ferrell, Flythe, Foster, Gaines, Garland, Gidney, Harrington, Harper, Harrison, Hawes, Henry, Hilliard, Hodnett, Holderby, Holmes, Horton, Houston, Hyman, Jenkins, of Warren, Jones, Joyner, Judkins, Kenan, Kinney, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Manly, Matthews, McDonald, McIntosh, McNair, Moore, of Martin, Mott, Murrill, Niven, Nicks, Newsum, Page, Palmer, Paschall, Potter, Russell, Shaw, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Stilley, Scoggin, Teague, Thigpen, Thompson, Trull, Waugh, Webb and York.

The question recurring on the substitute, and a division of the question being demanded by Mr. Waugh, the motion to strike out was put, and decided in the negative,—yeas 23, nays 75; the yeas and nays being demanded by Mr. Baxter.

Those who voted in the affirmative are:

Messrs. Baxter, Blackmer, Campbell, Carson, Coates, Faircloth, of Greene, Faircloth, of Wayne, Furr, Garland, Henry, Hoke, Hutchison, Jenkins, of Gaston, Jenkins, of Granville, McEachern, Mott, Shaw, Simmons, Smith, of Cumberland, Thompson, Whitley, Williams and Yellowley.

Those who voted in the negative are:

Messrs. Allison, Arrington, Ashworth, Beasley, Blair, Blythe, Bonner, Bryson, Burgess, Burton, Caldwell, Cameron, Candler, Cowan, Cox, Craig, Crawford, Davis, of Carteret, Davis, of Halifax, Dickey, Farrow, Faison, Ferrell, Flythe, Foster, Gaines, Gidney, Harrington, Harper, Harrison, Hawes, Hilliard, Hodnett, Holderby, Holmes, Horton, Houston, Hyman, Jenkins, of Warren, Jones, Joyner, Judkins, Kenan, Kinney, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Manly, Matthews, McDonald, McIntosh. McNair, Melson, Moore, of Martin, Murrill, Niven, Nicks, Newsum, Page, Paschall, Potter, Russell, Smith, of Columbus, Smith, of Guilford,

Stilley, Scoggin, Teague, Thigpen, Trull, Waugh, Webb, Wilson and York.

Mr. Lucas moved to amend, by inserting in line 22, sec. 4, after the word "land," the words "and other property;" which was not adopted.

The bill, as amended, then passed its third reading; yeas 74, nays 23,—the yeas and nays being demanded by Mr. Wilson,—and was ordered to be engrossed.

Those who voted in the affirmative are:

Messrs. Allison, Arrington, Ashworth, Baxter, Beasley, Blair, Blythe, Bonner, Bryson, Burgess, Burton, Caldwell, Cameron, Candler, Carson, Coates, Cowan, Cox, Craig, Davis, of Halifax, Farrow, Faison, Ferrell, Flythe, Foster, Furr, Gaines, Harrington, Harper, Harrison, Hawes, Hilliard, Hodnett, Holderby, Holmes, Horton, Houston, Hyman, Jenkins, of Warren, Jones, Joyner, Judkins, Kenan, Kinney, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Luke, Manly, Matthews, McDonald, McIntosh, McNair, Moore, of Martin, Murrill, Niven, Nicks, Newsum, Page, Palmer, Paschall, Potter, Russell, Smith, of Columbus, Smith, of Guilford, Stilley, Scoggin, Teague, Thigpen, Trull, Waugh, Webb and York.

Those who voted in the negative are:

Messrs. Black, Blackmer, Campbell, Crawford, Davis, of Carteret, Faircloth, of Greene, Faircloth, of Wayne, Garland, Gidney, Henry, Hoke, Hutchison, Jenkins, of Gaston, Jenkins, of Granville, Melson, Mott, Shaw, Simmons, Smith, of Cumberland, Whitley, Williams, Wilson and Yellowley.

Received a message from the Senate, concurring in the House proposition to adjourn *sine die* on the 12th prox.

Also, announcing that they had passed the following engrossed bills, etc., in which they asked the concurrence of the House, viz:

Bill to repeal so much of chap. 68, sec. 2, Revised Code, as relates to requiring bonds for marriage licenses. Referred to Committee on Judiciary.

Bill to amend sec. 4, chap. 35, Revised Code, Relative to fugitives from Justice. Placed on file.

Bill to authorize the President of the Western North-Carolina Railroad Company to borrow money on the faith and credit of the State. Placed on file.

Resolutions in reference to "Sketches of Lower North-Carolin." Placed on file.

Also, concurring in recommendations of magistrates for the counties of Orange, Cumberland and Currituck.

Mr. Melson moved to re-consider the action of the House, by which they had concurred in the Senate recommendation of magistrates for the county of Washington; which motion did not prevail.

On motion of Mr. Waugh, the House adjourned until Monday morning, 10 o'clock.

MONDAY, February 26, 1866.

Prayer by Rev. Mr. Atkinson.

Leave of absence for one week was granted to Mr. Smith, of Cumberland, and, until Wednesday next, to Mr. Holmes.

The Speaker announced Messrs. Wilson, Webb, Mott, Blair and Farrow as the Committee on enrolled bills for the week.

Mr Blackner, from the Committee on Corporations, reported favoradly upon bill "to incorporate the Business Exchange of Elizabeth City, and vicinity."

Mr. Blackmer, from the Joint Committee of Conference on the bill "to regulate Salaries and Fees," submitted a report, with sundry recommendations; which were concurred in, and the report ordered to be transmitted to the Senate.

The following resolutions and bills were introduced and referred, or otherwise disposed of, as follows:

By Mr. Manly: Resolutions in favor of a general Amnesty. Placed on file and ordered to be printed.

By Mr. Smith, of Columbus: Resolution instructing the Judiciary Committee to enquire into the propriety and expediency of reducing the amount of the penal bonds of sheriffs, and other public officers. So referred.

By Mr. Manly: Bill to incorporate the Newbern Savings Institution. Referred to Committee on Corporations.

By Mr. Ferrell: Bill to authorize the sale of a public lot to the City of Raleigh, for a burial ground. Same reference.

By Mr. Jenkins, of Gaston: Bill to authorize the sheriff of Gaston and Lincoln counties to collect the tax laid by the Provisional magistrates. Under a suspension of the rules, passed its several readings and ordered to be engrossed.

By Mr. Harrington: Bill to prevent the amalgamation of the white and colored races. Referred to the Judiciary Committee.

By Mr. Davis, of Carteret: Bill to amend ch. 104, Revised Code, entitled "Salaries and Fees." Referred to Committee on Salaries and Fees.

By Mr. Jenkins, of Warren: Bill to authorize the sale of the Roanoke Valley Railroad. Referred to the Committee on Internal Improvements.

By Mr. Hawes: Bill to amend an act entitled "An act to promote and encourage the planting of oysters and clams." Referred to the Committee on Agriculture.

The resolution, introduced on Saturday, providing for night sessions of the House, was, on motion of Mr. Waugh, laid on the table; and

The resolution for the earlier morning meeting of the House was, also, on motion of Mr. Henry, laid on the table.

On motion of Mr. Hoke, the Revenue bill was made the special order for to-morrow 12 o'clock, instead of 11 o'clock, as heretofore agreed upon.

On motion of Mr. Thompson, the rules were suspended, and priority was given for the day to the consideration of the cal-

endar of bills on their third reading: when the following dispositions were made, to wit:

Bill concerning negroes, and persons of color, or of mixed blood:

Mr. Allison, moved to amend, by inserting, at the end of sec. 9, the following:

"*Provided, further*, That no person shall be deemed incompetent to bear testimony in such cases because of being a party to the record or in interest."

Which was adopted.

Mr. Holderby moved further to amend, by inserting, at the end of sec. 5, the following:

"For making such entry, and giving a certificate of the same, the clerk shall be entitled to a fee of fifty cents to be paid by the party for whom the services are rendered."

Mr. Hutchison moved to amend the amendment, by striking out "fifty cents" and inserting "twenty-five cents;" which was adopted, and the amendment, as amended, was then agreed to.

Mr. McAden moved to amend section 1, by substituting the word "is" for the words "shall be," and by striking out all in the same section after the word "color;" which were adopted.

Mr. McNair moved to strike out sec. 9, which was not agreed to,—yeas 44, nays 53; the yeas and nays being demanded by Mr. McNair.

Those who voted in the affirmative are:

Messrs. Arrington, Barnett, Black, Burgess, Carson, Craig, Dalby, Dickey, Everett, Farrow, Ferrell, Foster, Gaines, Garland, Hamilton, Harrington, Harrison, Henry, Hilliard, Hodnett, Holderby, Horton, Jenkins, of Granville, Jenkins, of Warren, Joyner, Kenan, Leigh, of Tyrrell, Lucas, Luke, Matthews, McEachern, McNair, Murrill, Nicks, Potter, Russell, Shaw, Simmons, Smith, of Cumberland, Smith, of Guilford, Scoggin, Thigpen, Webb and York.

Those who voted in the negative are:

Messrs. Allison, Ashworth, Baxter, Blackmer, Blair, Blythe, Bonner, Bryson, Burton, Caldwell, Cameron, Campbell, Candler, Chadwick, Cox, Crawford, Davis, of Carteret, Faircloth, of Greene, Faircloth, of Wayne, Flythe, Furr, Harper, Hawes, Hoke, Holmes, Houston, Hutchison, Hyman, Jenkins, of Gaston, Jones, Kinney, Lee, of Gates, Logan, Lyon, Manly, McAden, McDonald, McIntosh, Melson, Moore, of Alamance, Moore, of Martin, Mott, Newsum, Palmer, Paschall, Smith, of Columbus, Stilley, Teague, Thompson, Wheeler, Whitley, Wilson and Yellowley.

(When the name of Mr. Waugh was called, he stated that he had paired off with Mr. Rosebro', who was absent, and he was accordingly excused from voting.)

The bill then passed its third reading, and was ordered to be engrossed,—yeas 51, nays 50; the yeas and nays being demanded by Mr. Simmons.

Those who voted in the affirmative are:

Messrs. Allison, Ashworth, Baxter, Blackmer, Blair, Blythe, Bonner, Bryson, Burton, Caldwell, Cameron, Campbell, Candler, Chadwick, Cox, Crawford, Davis, of Carteret, Faircloth, of Greene, Faircloth, of Wayne, Flythe, Furr, Harper, Hawes, Hoke, Holmes, Houston, Hutchison, Hyman, Jenkins, of Gaston, Kinney, Lee, of Gates, Logan, Manly, McAden, McDonald, McIntosh, Melson, Moore, of Alamance, Moore, of Martin, Mott, Newsum, Palmer, Paschall, Smith, of Columbus, Stilley, Teague, Thompson, Wheeler, Whitley, Wilson and Yellowley.

Those who voted in the negative are:

Messrs. Arrington, Barnett, Black, Burgess, Carson, Craig, Dalby, Dickey, Donnell, Everett, Farrow, Ferrell, Foster, Gaines, Garland, Hamilton, Harrington, Harrison, Henry, Hilliard, Hodnett, Holderby, Horton, Jenkins, of Granville, Jenkins, of Warren, Jones, Joyner, Judkins, Kenan, Leigh, of Tyrrell, Lucas, Luke, Lyon, Marler, Matthews, McEachern, McNair, Moore, of Chatham, Murrill, Nicks, Potter, Russell,

Shaw, Simmons, Smith, of Cumberland, Smith, of Guilford, Scoggin, Thigpen, Webb and York.

Bill to authorize the reference of disputes by consent of parties: Mr. Donnell moved to lay the bill upon the table; which was decided in the affirmative,—yeas 50, nays 45.

Mr. Caldwell demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Allison, Barnett, Baxter, Blackmer, Bonner, Bryson, Campbell, Candler, Cox, Davis, of Halifax, Donnell, Everett, Faircloth, of Greene, Faircloth, of Wayne, Farrow, Foster, Furr, Garland, Harper, Harrison, Henry, Hodnett, Hoke, Horton, Hutchison, Jenkins, of Gaston, Jenkins, of Granville, Kenan, Kinney, Lee, of Gates, Leigh, of Tyrrell, Luke, Manly, Marler, McAden, McNair, Melson, Moore, of Alamance, Moore, of Martin, Murrill, Nicks, Russell, Simmons, Smith, of Columbus, Scoggin, Thigpen, Thompson, Wilson, Yellowley and York.

Those who voted in the negative are:

Messrs. Arrington, Ashworth, Black, Blair, Blythe, Burton, Caldwell, Carson, Craig, Crawford, Dalby, Davis, of Carteret, Dickey, Flythe, Gidney, Hamilton, Harrington, Hawes, Hilliard, Holderby, Holmes, Houston, Jenkins, of Warren, Jones, Joyner, Judkins, Logan, Lucas, Matthews, McDonald, McEachern, McIntosh, Moore, of Chatham, Mott, Newsum, Palmer, Paschall, Shaw, Smith, of Cumberland, Smith of Guilford, Stilley, Teague, Waugh, Wheeler and Whitley.

Bill improving the law of evidence: Mr. Jenkins, of Warren, moved to amend by striking out the words "or crime" in line 5, sec. 1; which was adopted.

Mr. Henry moved to lay the bill upon the table; which motion prevailed.

Bill to enable the banks of the State to close their business: Mr. Waugh moved to amend, by striking out, in sec. 1, the words "for the equal benefit of all its creditors," and inserting, in lieu thereof:

"For the equal benefit of all its creditors, citizens of North Carolina at the date of assignment, and who were *bona fide* creditors to the bank at the date of assignment, to be verified on affidavit before the Trustee."

Mr. Hyman moved that the bill be indefinitely postponed; which did not prevail.

The amendment was then lost,—yeas 15, nays 81; the yeas and nays being demanded by Mr. Waugh.

Those who voted in the affirmative are:

Messrs. Black, Craig, Faison, Harrison, Hawes, Hilliard, Horton, Kenan, Leigh, of Tyrrell, McAden, McNair, Moore, of Alamance, Teague, Waugh and York.

Those who voted in the negative are:

Messrs. Allison, Ashworth, Baxter, Blackmer, Blair, Blythe, Bonner, Bryson, Burgess, Burton, Caldwell, Cameron, Campbell, Candler, Carson, Chadwick, Crawford, Dalby, Davis, of Carteret, Dickey, Faircloth, of Greene, Faircloth, of Wayne, Farrow, Flythe, Furr, Garland, Gidney, Hamilton, Harper, Harrington, Henry, Hodnett, Holderby, Holmes, Houston, Hutchison, Hyman, Jenkins, of Gaston, Jenkins, of Granville, Jenkins, of Warren, Jones, Joyner, Judkins, Kinney, Lee, of Gates, Logan, Lucas, Lyon, Manly, Matthews, McDonald, McEachern, McIntosh, Melson, Moore, of Chatham, Moore, of Martin, Mott, Murrill, Niven, Nicks, Newsum, Page, Palmer, Paschall, Potter, Russell, Shaw, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Stilley, Scoggin, Thigpen, Thompson, Trull, Webb, Whitley, Williams, Wilson and Yellowley.

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

Received a message from the Senate, announcing Messrs. Isbell, Keener and Latham as their branch of the Committee on Enrolled Bills for the week.

Also, transmitting the following engrossed bills, and asking the concurrence of the House therein, viz:

Bill to extend the limits of the town of Swansboro', and for other purposes;

Bill to incorporate the Rock Island Manufacturing Company, in the county of Mecklenburg;

Which were respectively placed on file.

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

TUESDAY, February 27, 1866.

Additional recommendations of magistrates for the counties of Pitt, Sampson, Buncombe, Stokes, Jones and Yadkin were submitted, approved and sent to the Senate for concurrence.

Mr. Hoke, from the Committee on the Judiciary, to whom was referred a resolution of enquiry as to the expediency of reducing the penal bonds of Sheriffs, and other officers, reported back a bill entitled "A bill to reduce the bonds of sheriffs, and other officers," and recommended its passage. Placed on file.

Mr. Manly, from the same committee, reported adversely to the bill "to authorize registers to appoint deputies."

The following resolutions and bills were introduced, and referred, or otherwise disposed of, as follows:

By Mr. Caldwell: Resolution instructing the Judiciary Committee to enquire into the propriety of repealing the act establishing a Medical Board, in this State, or of reviving the same, as in their judgment may be expedient. So referred.

By Mr. Niven: Resolution proposing to raise a Select Committee of five, to enquire into the condition of the suffering poor in those regions of country that were devastated by the Federal armies. Adopted; and Messrs. Niven, McNair, Shaw, Faison and Beasley announced as said Committee.

By Mr. McAden: Bill to require a deposit of securities to

be made by foreign Insurance Companies doing business in this State. Referred to Committee on Judiciary.

By Mr. Wheeler: Bill to amend chap. 75, Rev. Code, entitled "Notaries." Same reference.

By Mr. Faircloth, of Wayne: Bill in relation to the town of Goldsboro', in the county of Wayne. Under a suspension of the rules, passed its several readings and ordered to be engrossed.

By Mr. Paschall: Bill authorizing the renewal of certain State bonds in the hands of the Chatham R. R. Company. Referred to the Committee on Internal Improvements.

On motion of Mr. McNair, the bill "improving the law of evidence," laid on the table on yesterday, was ordered to be taken therefrom and replaced on the calendar.

The bill "to amend sec. 64, chap. 60, Revised Code," entitled "Inspections," passed its second reading and was then referred, on motion of Mr. Russell, to a special Committee of three; and the Speaker designated Messrs. Russell, Shaw and Chadwick as constituting said Committee.

The bill "concerning assignments" passed its third reading, and was ordered to be engrossed,—yeas 49, nays 46; the yeas and nays being demanded by Mr. Dickey.

Those who voted in the affirmative are:

Messrs. Allison, Arrington, Barnett, Baxter, Black, Blackmer, Bonner, Burton, Caldwell, Cameron, Candler, Carson, Chadwick, Cox, Davis, of Halifax, Everett, Faircloth, of Wayne, Foster, Furr, Gidney, Harrington, Hawes, Hilliard, Holderby, Hyman, Jenkins, of Gaston, Jenkins, of Warren, Joyner, Kenan, Lee, of Gates, Leigh, of Tyrrell, Lucas, Luke, Manly, Marler, McAden, McEachern, McNair, Moore, of Alamance, Moore, of Martin, Murrill, Niven, Shaw, Stilley, Thigpen, Trull, Waugh, Williams and Yellowley.

Those who voted in the negative are:

Messrs. Ashworth, Blair, Blythe, Bryson, Burgess, Campbell, Craig, Crawford, Dalby, Davis, of Carteret, Dickey,

Farrow, Flythe, Garland, Hamilton, Harper, Harrison, Henry, Hodnett, Horton, Houston, Hutchison, Jones, Kinney, Logan, Matthews, McDonald, McIntosh, Melson, Moore, of Chatham, Nicks, Newsum, Palmer, Paschall, Potter, Russell, Simmons, Smith of Columbus, Smith, of Guilford, Scoggin, Teague, Thompson, Webb, Whitley, Wilson and York.

Received a message from the Senate, transmitting an engrossed bill to amend an act, entitled "An act to amend the charter of the town of Salisbury." Under a suspension of the rules, passed its several readings and ordered to be enrolled.

The hour having arrived, the special order, viz: The bill entitled "Revenue," was taken up.

[SCHEDULE A.]

Mr. Blythe moved to amend by substituting "fifty cents," as poll-tax, in lieu of "one dollar," in line 1, sec. 2.

Mr. Thigpen moved to amend the amendment by substituting "two dollars" in lieu of "one dollar;" which did not prevail. And,

The amendment was then disagreed to.

Mr. Simmons moved to amend, by inserting, in line 8, sec. 2, after the word "house," the words "by consent of the owner of said land;" which was adopted.

Mr. Hoke moved to strike out, in lines 7 and 8, sec. 2, the words "or living on his land or in his house." Lost.

Mr. Yellowley moved to strike out all after the word "exemption," in line 4, sec. 2. Lost.

Mr. Gidney moved to amend by striking out all after "tax" in line 6, sec. 2, to "shall," in line 8, except the words "in his employment." Lost.

Mr. Cameron moved to amend, by striking out, in line 3, sec. 3, "ten dollars," and inserting "twenty dollars," in lieu thereof; which was adopted.

Mr. Garland moved further to amend by substituting the word "received" for the word "due" in line 2, sec. 6. Lost.

Mr. Jones moved to strike out, from lines 2 and 3, sec. 7,

the words "except Judges of the Supreme and Superior Courts;" which was adopted.

Mr. Lucas moved further to amend by adding, at the end of line 33, sec. 8, the words "except buildings erected in place of those burned by the United States forces during the war." Lost.

Mr. Dickey moved to strike out the whole of lines 30 and 31, sec. 8. Lost.

Mr. Jenkins, of Warren, moved to substitute "four dollars" in lieu of "one dollar," in line 5, sec. 11; which was adopted.

Mr. Moore, of Alamance, moved further to amend, by striking out, after the word "sale," in line 15, sec. 12, the words "fifteen per cent," and inserting, in lieu thereof, "twenty per cent."

Mr. Marler moved to amend the amendment, by substituting "fifty per cent;" which did not prevail. And,

The amendment was then adopted.

Mr. McNair moved to strike out sec. 13 entire; which did not prevail.

Mr. Yellowley moved to amend, by adding, at the close of sec. 13, the following; "And it shall be the duty of the Clerk of the Court of Pleas and Quarter Sessions to furnish the Sheriff with the names of the Executors and Administrators who make such returns, after each and every term of his Court."

Which was adopted.

Pending the further consideration of the bill,

On motion of Mr. Moore, of Alamance, the House adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY, February 28, 1866.

Prayer by Rev. Mr. Hardie.

An additional recommendation of magistrates for the county of Mecklenburg was submitted, approved, and sent to the Senate for concurrence.

Mr. Manly, from the Committee on the Judiciary, reported favorably, with an amendment, upon the bill "to amend sec. 2, chap. 68, Revised Code;"

Unfavorably, upon the bill "to prevent the amalgamation of the white and colored races;"

And asking to be discharged from the further consideration of the resolution of enquiry concerning the Medical Board in this State; which was ordered accordingly.

Mr. Yellowley, from the same committee, reported favorably upon the Senate bill to repeal so much of chap. 68, sec. 2, Revised Code, as relates to requiring bonds for marriage licenses.

Mr. Hoke, from the same committee, reported favorably upon the bill "in relation to the Judiciary."

Mr. Blackmer, from the Committee on Corporations, reported favorably upon

Bill to incorporate the Newbern Savings Institution; and

Bill to authorize the sale of a public lot to the city of Raleigh for a burial ground.

Mr. Simmons, from the Committee on Agriculture, reported favorably, with an amendment, upon the bill to amend an act entitled "An act to promote and encourage the planting of oysters and clams."

Mr. Wheeler, from the Committee on Claims, reported favorably upon

Bill in favor of Chas. Keuster & Bro.; and

Bill in favor of R. W. Best,—

Which bills, under a suspension of the rules, passed their several readings, and were ordered to be engrossed.

The following resolution and bills were introduced and referred, or otherwise disposed of, as follows:

By Mr. York: Resolution concerning night sessions. Lies over under the rules.

By Mr. Caldwell: Bill to amend "An act to incorporate the

Trustees of Greensboro' Female College." Referred to the Committee on Corporations.

By Mr. Shaw: Bill to enable the Fayetteville & Florence Railroad Company to establish a National Bank in Fayetteville. Same reference.

By Mr. Garland: Bill in favor of Adin Wiseman, sheriff of Mitchell county. Placed on file.

By Mr. Blackmer: Bill regulating fees in the Supreme Court. Placed on file.

The calendar of bills on their second reading was then taken up, and the following passed the same, and, under a suspension of the rules, passed their third reading, and were ordered to be enrolled, viz:

Senate bill to outlaw felons who flee from justice;

Senate bill to provide for collection of taxes of 1865, in counties where no sheriff or other officer was qualified under the Revenue Ordinance of the Convention; and

Senate bill to amend sec. 4, chap. 35, Rev. Code, relating to fugitives from justice.

The bill "for the relief of sheriffs and tax collectors" coming up on its third reading,

Mr. Wilson moved to amend, by inserting the following as additional section, viz:

"*Be it further enacted*, That the provisions of this act shall not be so construed as to give authority to sheriffs or tax collectors to collect any arrearages of taxes which were levied for the purpose of carrying on the late war against the United States."

Which was not adopted.

The amendments recommended by the Committee on Finance were then adopted; when

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

"*Be it further enacted*, That the provisions of this bill shall not extend to the county of Washington."

Which did not prevail.

Mr. Henry moved that the bill be indefinitely postponed; which was decided in the affirmative,—yeas 49, nays 49; the Speaker voting in the affirmative.

Mr. Henry demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Arrington, Ashworth, Beasley, Black, Blair, Blythe, Bryson, Campbell, Candler, Carson, Coates, Craig, Crawford, Dalby, Davis, of Carteret, Dickey, Faircloth, of Greene, Flythe, Harrington, Harrison, Hawes, Henry, Hilliard, Hodnett, Jenkins, of Gaston, Jenkins, of Granville, Joyner, Kenan, Kinney, Leigh, of Tyrrell, Lucas, Luke, Lyon, Melson, Moore, of Chatham, Murrill, Niven, Nicks, Newsum, Palmer, Shaw, Simmons, Smith, of Columbus, Stilley, Teague, Thompson, Webb, Wilson and York.

Those who voted in the negative are:

Messrs. Allison, Barnett, Baxter, Blackmer, Bonner, Burgess, Burton, Caldwell, Cox, Faircloth, of Wayne, Farrow, Ferrell, Furr, Gaines, Garland, Gidney, Hamilton, Harper, Holderby, Hoke, Holmes, Houston, Hutchison, Jenkins, of Warren, Jones, Judkins, Lee, of Gates, Logan, Manly, Marler, Matthews, McAden, McEachern, McIntosh, McNair, Moore, of Alamance, Moore, of Martin, Paschall, Potter, Rosebro', Russell, Smith, of Guilford, Scoggin, Thigpen, Trull, Waugh, Whitley, Williams and Yellowley.

Received a message from the Senate, concurring in the recommendations of magistrates for the counties of Jones, Sampson, Stokes, Pitt, Buncombe and Mecklenburg; and refusing to concur in the recommendation for the county of Yadkin.

Mr. Dickey gave notice that he would hereafter move to re-consider the vote, by which the bill for the relief of Sheriffs and Tax Collectors had just been indefinitely postponed.

The special order,—being the Revenue Bill,—was then taken up.

[Schedule B.]

Mr. Caldwell moved to amend by striking out sec. 4, and inserting the following in lieu thereof, viz:

"Every Insurance Company incorporated by this State, who take no policy out of the State, two per cent. on their gross receipts."

Which was not adopted.

Mr. Jones moved to amend, by adding, at the end of sec. 5: "And every Gas Company and every Telegraph Company one per cent. on gross receipts." Adopted.

Mr. Campbell moved further to amend, by adding, at the end of sec. 6, as follows: "And ten dollars for every county in which said company may have an agency." Adopted.

Mr. Jones moved further to amend, by adding, at the close of section 13: "And every bagatelle table twenty dollars.' Adopted.

Mr. Dickey moved further to amend by inserting "twenty-five" instead of "fifty" in line 3, sec. 15. Lost.

Mr. Houston moved to amend by inserting "seventy-five," in lieu of "fifty," in line 2, sec. 16.

Mr. Yellowley moved to amend the amendment by inserting "one hundred;" which did not prevail. And,

The amendment was then lost.

Mr. Dickey moved to amend by striking out "ten," in line 3, sec. 17, and inserting "twenty." Lost.

Mr. Dickey also moved to amend by striking out "one per cent." in line 3, sec. 19, and inserting "two per cent." instead thereof. Adopted.

Mr. Houston moved further to amend by striking out the words "for each county" in line 4, sec. 29. Adopted.

Mr. Cameron offered the following as a substitute for sec. 30, viz:

"On every gallon of whiskey, or other spirituous liquors distilled from grain, for his own use, or for sale, by the owner or person using any distillery, fifty cents, and the like sum on every gallon distilled for other persons or delivered in ex-

change for grain to other persons, to be paid by the person by whom it was distilled. On every gallon of brandy, or other spirituous liquors, distilled from fruit, or other substances, for his own use or for sale by the owner or person using any distillery, twenty-five cents, and the like sum on every gallon distilled for other persons or delivered in exchange for grain to other persons, to be paid by the person by whom it was distilled. And the sheriff may collect the same at any time, and shall collect at least quarterly, on the first day of April, July, October and January of each year."

Mr. Houston moved to amend the substitute by striking out "fifty cents" and inserting "thirty-five cents" in lieu thereof; which did not prevail.

The substitute was then lost,—yeas 44, nays 58; the yeas the yeas and nays being demanded by Mr. Niven.

Those who voted in the affirmative are:

Messrs. Allison, Arrington, Baxter, Beasley, Blackmer, Blythe, Bonner, Caldwell, Cameron, Carson, Chadwick, Cox, Crawford, Dickey, Everett, Faircloth, of Greene, Faircloth, of Wayne, Flythe, Harper, Hawes, Hodnett, Hutchison, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Manly, McEachern, McNair, Moore, of Chatham, Moore, of Martin, Niven, Newsum, Page, Shaw, Thigpen, Thompson, Williams, Wilson and Yellowley.

Those who voted in the negative are:

Messrs. Ashworth, Barnett, Black, Blair, Bryson, Burgess, Burton, Campbell, Candler, Coates, Craig, Dalby, Davis, of Carteret, Farrow, Furr, Gaines, Garland, Gidney, Hamilton, Harrington, Harrison, Henry, Hilliard, Holderby, Holmes, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Lyon, Marler, McAden, McDonald, McIntosh, Melson, Moore, of Alamance, Mott, Murrill, Nicks, Palmer, Paschall, Potter, Rosebro', Russell, Simmons, Smith, of Columbus, Smith, of Guilford, Stilley, Scoggin, Teague, Trull, Waugh, Webb Wheeler, Whitley and York.

Mr. Jenkins, of Gaston, moved to amend by adding, after the word "same" in line 5, sec. 30, as follows:

"*Provided*, That any person who shall still, without having previously obtained a license therefor from the special County Court, shall pay a tax of ten dollars for every day or part of day in which he may so still; and it shall be the duty of the sheriff to distrain the still and fixtures for the payment of such tax: *Provided, further*, That this provision shall not be in force until thirty days from the ratification of this act."

Mr. Caldwell offered the following as a substitute for the amendment, viz:

"*Provided*, That no person shall be permitted to distil any grain, fruit, or other substance, in any county in this State, under a penalty of $500, unless they shall have obtained a license from the Court of Pleas and Quarter Sessions in said county; which said courts are authorized to issue, or not, at their discretion, upon the applicant paying a tax of $10 on each still named in the license issued to the applicant."

Which was not adopted.

Mr. Arrington moved to amend the amendment, by adding, at its close:

"*Provided, further*, That this provision shall only apply to persons distilling spirituous liquors from grain."

Which was adopted; and

The amendment, as amended, was then agreed to.

Mr. Furr moved further to amend, by adding, after the word "same," in line 5, sec. 30: "*Provided*, That each person shall have permission to distil ten gallons for his own use free of tax." Lost.

Mr. Jenkins, of Warren, moved to amend, by striking out "twenty-five cents," in line 3, sec. 30, (tax on each gallon of spirituous liquors manufactured,) and inserting "forty cents" in lieu thereof; which was not adopted,—yeas 31, nays 67.

Mr. Jenkins demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Baxter, Beasley, Blythe, Bonner, Cameron, Cox, Crawford, Flythe, Harper, Henry, Hilliard, Hodnett, Hutchison, Jenkins, of Warren, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Lucas, Manly, McEachern, McNair, Moore, of Chatham, Niven, Newsum, Page, Palmer, Shaw, Thompson, Wilson and Yellowley.

Those who voted in the negative, are:

Messrs. Allison, Arrington, Ashworth, Barnett, Black, Blair, Bryson, Burgess, Burton, Caldwell, Campbell, Candler, Carson, Chadwick, Coates, Craig, Dalby, Davis, of Carteret, Dickey, Everett, Faircloth, of Greene, Faircloth, of Wayne, Farrow, Furr, Gaines, Garland, Gidney, Hamilton, Harrington, Harrison, Hawes, Holmes, Horton, Houston, Jenkins, of Gaston, Jones, Joyner, Kinney, Logan, Marler, McAden, McDonald, McIntosh, Melson, Moore, of Alamance, Moore, of Martin, Mott, Murrill, Nicks, Paschall, Potter, Rosebro', Russell, Simmons, Smith, of Columbus, Smith, of Guilford, Stilley, Scoggin, Teague, Thigpen, Trull, Waugh, Webb, Wheeler, Whitley, Williams and York.

Mr. McDonald moved to strike out the whole of section 30. Lost.

Mr. Cameron moved to add the following, as an additional section at the end of Schedule B., viz:

"SEC. 32. On every dog kept or owned by any person, one dollar: *Provided*, That every head of a family shall be allowed to keep one dog, that shall not be subject to this tax: *Provided, also*, That animals of the canine species under the age of eight months shall not be regarded as dogs within the meaning of this section."

Which was not adopted.

(SCHEDULE C.)

Mr. Caldwell moved to amend by inserting "five dollars," in line 3, sec. 4, in lieu of "one dollar." Lost.

The bill, as amended, then passed its second reading.

On motion of Mr. Murrill, the House adjourned until tomorrow morning, 10 o'clock.

THURSDAY, March 1, 1866.

Mr. Rosebro' presented a memorial of certain citizens of Iredell county, praying the appointment of sundry magistrates; which, on motion of Mr. Hoke, was laid on the table.

Recommendations of Justices for the counties of Harnett, Macon and Lenoir were submitted, approved and sent to the Senate for concurrence.

Mr. Manly, from the Committee on the Judiciary, reported unfavorably upon

Senate bill to appoint a tax collector for the county of Lenoir;

And, favorably, upon

Bill to amend chap. 75, Revised Code, entitled "Notaries;" and

Bill to require a deposit of securities to be made by foreign Insurance Companies, doing business in this State.

Mr. Candler, from the same Committee, to whom was referred a resolution of enquiry concerning the attachment law of 1861, reported that said law is still in force, and asked to be discharged from the further consideration of the subject; which was so ordered.

Mr. Cameron, from the Committee on Federal Relations, reported adversely to the bill "concerning Attorneys at Law."

Mr. Blackmer, from the Committee on Corporations, reported favorably upon

Bill to amend the act "to incorporate the Trustees of Greensboro' Female Seminary;" and

Bill to enable the Fayetteville and Florence R. R. Company to establish a National Bank in the town of Fayetteville.

Mr. Bryson, from the Committee on Internal Improvements, reported favorably upon the bill to authorize the sale of the Roanoke Valley Railroad. And.

Mr. Hoke, from the same Committee, reported favorably

upon the bill authorizing the renewal of certain State bonds in the hands of the Chatham R. R. Company.

The following bills were introduced, and referred, or otherwise disposed of, as follows, viz:

By Mr. McDonald: Bill to amend the charter of the Governor's Creek Steamboat, Transportation and Mining Company. Under a suspension of the rules, passed its several readings and ordered to be engrossed.

By Mr. Mott: Bill to amend the act of incorporation of the town of Newton, in Catawba county. Referred to the Committee on Corporations.

The resolution relative to night sessions, introduced on yesterday, coming up,

Mr. Faircloth, of Wayne, moved to substitute therefor the following, viz:

"*Resolved*, That this House hereafter meet daily at 9½ o'clock, A. M., and adjourn at 3 o'clock, P. M., unless the business on the calendar is sooner disposed of."

On motion of Mr. Ferrell, the resolution was ordered to lie on the table.

The calendar of bills on their second reading was then taken up, and the following dispositions made, to wit:

Bill to amend the act to incorporate the Trustees of the Greensboro' Female College. Passed its several readings, and ordered to be engrossed.

Bill to establish Homestead Freeholds for the citizens of this State: Mr. Caldwell moved to amend by adding, at the end of sec. 1,

"*Provided*, That said Homestead shall not exceed in value five thousand dollars, at the time the Homstead is laid off."

Which was not adopted.

Mr. Waugh moved to amend, by striking out, in sec. 1, "fifty acres," and inserting, in lieu thereof, "one hundred;" which was adopted.

The bill then passed its second reading, and, under a suspension of the rules, coming up on its third,

Mr. Jenkins, of Gaston, moved to amend, by striking out, in sec. 1, "one hundred acres," and inserting "two hundred acres;" which did not prevail.

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

Received a message from the Senate, transmitting recommendations of magistrates for the counties of Duplin and Alamance,—the latter of which, on motion of Mr. Moore, of Alamance, were laid on the table. The former were concurred in.

Also, concurring in the House recommendations for the counties of Macon and Harnett.

Also, transmitting the following engrossed resolutions, and asking the concurrence of the House therein, viz:

Resolution in favor of Cherokee Indians. Under a suspension of the rules, passed its several readings and ordered to be enrolled. And,

Resolutions in favor of disabled soldiers. Placed on file.

The special order,—the Revenue Bill on its third reading,—was then taken up, when

Mr. Moore, of Martin, moved to amend, by adding, at the end of line 33, sec. 8, Schedule A, as follows: "Unless such buildings be to replace those burned by the United States forces." Which did not prevail.

Mr. Dickey moved to amend, by striking out "four dollars," same line and section, and inserting "one dollar" in lieu thereof. Lost.

On motion of Mr. McAden, the vote by which the House refused to strike out "four dollars" and insert "one dollar" was reconsidered, when

The amendment was adopted.

Mr. Bryson moved to amend, by adding the following proviso to sec. 11: "*Provided.* This tax shall not apply to arms

used or worn previous to the ratification of this act." Which was adopted.

Mr. Garland moved to amend, by adding, at the close of the same section, as follows: "And any person who shall wear said weapons, and fail to list the same, and pay the tax, shall be guilty of a misdemeanor." Which was adopted.

Mr. Thigpen moved further to amend by striking out "twenty," in line 5, section 12, and inserting "fifteen;" which prevailed.

Mr. Jones moved further to amend, by adding to sec. 12, Schedule B, as follows: "And on the gross earnings of every Railroad Company received, though not realized, a tax of one-half of one per cent." Which was not adopted.

Mr. McAden moved to strike out the amendment offered on yesterday by Mr. Jenkins, of Gaston, and adopted by the House; which motion did not prevail,—yeas 20, nays 78.

Mr. McAden demanded the yeas.

Those who voted in the affirmative are:

Messrs. Barnett, Black, Bryson, Candler, Craig, Furr, Garland, Harrington, Jenkins, of Granville, Jones, Lyon, Matthews, McAden, McDonald, McIntosh, Moore, of Alamance, Nicks, Paschall, Waugh, and York.

Those who voted in the negative are:

Messrs. Allison, Arrington, Ashworth, Baxter, Beasley, Blair, Blythe, Bonner, Burgess, Burton, Caldwell, Cameron, Campbell, Carson, Chadwick, Coates, Cowan, Cox, Crawford, Dalby, Davis, of Carteret, Dickey, Dunn, Faircloth, of Wayne, Farrow, Faison, Flythe, Gidney, Hamilton, Harrison, Hawes, Henry, Hilliard, Hodnett, Holderby, Hoke, Holmes, Horton, Houston, Hutchison, Hyman, Jenkins, of Gaston, Jenkins, of Warren, Joyner, Judkins, Kenan, Kinney, Lee, of Gates, Leigh, of Tyrrell, Logan, Lucas, Manly, Marler, McNair, Melson, Moore, of Chatham, Moore, of Martin, Mott, Murrill, Niven, Newsum, Page, Palmer, Potter, Russell, Shaw, Simmons, Smith, of Columbus, Smith of Guilford, Scoggin, Thig-

pen, Thompson, Trull, Webb, Whitley, Williams, Wilson and Yellowley.

Mr. McAden then moved to amend, by adding the following as a proviso to sec. 30, viz:

"*Provided*, That in any county in which there is no Court in session at the time when this act shall go in force, the license may be obtained from any seven Justices of the Peace for said county."

Which was adopted.

Mr. Arrington moved that the following be added, as an additional section, at the end of Schedule B, viz:

"SEC. —. Every license granted under the provisions of this act shall be for twelve months from the issuing of the same."

Which was adopted.

Mr. Hutchison moved the following as an additional section to Schedule B, viz:

"A tax of one dollar upon every dog in the State, of the age of eight months, or over: *Provided*, That one shall be exempted for every head of a family."

Which was not adopted,—yeas 33, nays 54; the yeas and nays being demanded by Mr. Hutchison.

Those who voted in the affirmative are:

Messrs. Baxter, Beasley, Burgess, Caldwell, Cameron, Cox, Dickey, Faircloth, of Wayne, Gaines, Harper, Holderby, Hoke, Holmes, Houston, Hutchison, Hyman, Jenkins, of Warren, Jones, Judkins, Kenan, Kinney, Lee, of Gates, Logan, Lucas, Manly, McEachern, Page, Rosebro', Teague, Thigpen, Webb, Wheeler and Wilson.

Those who voted in the negative are:

Messrs. Allison, Arrington, Ashworth, Barnett, Blythe, Bonner, Bryson, Burton, Carson, Chadwick, Coates, Craig, Crawford, Dalby, Davis, of Carteret, Everett, Flythe, Furr, Garland, Gidney, Hamilton, Harrington, Harrison, Hawes, Hilliard, Hodnett, Horton, Jenkins, of Gaston, Joyner, Leigh, of Tyr-

rell, Luke, Marler, McDonald, McIntosh, McNair, Melson, Murrill, Niven, Nicks, Newsum, Palmer, Paschall, Russell, Shaw, Simmons, Smith, of Columbus, Stilley, Scoggin, Trull, Waugh, Whitley, Williams, Yellowley and York.

Mr. Dickey moved the following as an additional section to Schedule B, viz:

"On every bale of cotton, and on each one hundred pounds of tobacco, one dollar, to be paid by the producer."

Which was not adopted.

Mr. Jones offered the following, as an addition to sec. 5, Schedule C, viz:

"On the probate of every will, or grant of administration, on every writ of attachment or other action at law or in equity, and on every appeal, writ of error, *recordari* or *certiorari*, a tax of one dollar."

Which did not prevail.

The bill, as amended, then passed its third reading, and was ordered to be engrossed.

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

FRIDAY, March 2, 1866.

Prayer by Rev. Dr. Smedes.

Leave of absence was granted to Messrs. Hilliard, Flythe, Manly and Newsum.

An additional recommendation of magistrates for the county of Granville was submitted, approved and sent to the Senate for concurrence.

Mr. Harper, from the Committee on Finance, to whom was referred a communication from the Public Treasurer concerning the custody of the public funds, reported back a bill entitled "A bill to authorize the Public Treasurer to make special deposits," and recommended its passage. Placed on file.

The following resolutions and bills were introduced, and referred, or otherwise disposed of, as follows, viz:

By Mr. Kinney: Resolution precluding leaves of absence for the remainder of this session. Lies over under the rules.

By Mr. Blackmer: Resolution in favor of R. H. Bradley, Keeper of the Capitol. Referred to the Committee on Claims.

By Mr. Blackmer: Bill to extend relief to Robert Christy, and others. Placed on file.

By Mr. Hutchison: Bill to legalize the Courts of Pleas and Quarter Sessions held by the Provisional Justices in the county of Mecklenburg. Under a suspension of the rules, passed its several readings and ordered to be engrossed.

By Mr. Hoke: Bill to raise a Sinking Fund. Referred to the Committee on Judiciary.

By Mr. Moore, of Martin: Bill to amend the charter of the Williamston and Tarboro' Railroad Company, and for other purposes. Referred to the Committee on Internal Improvements.

The calendar of bills on their second reading was then taken up, and the following dispositions made, viz:

Bill for the benefit of the Common Schools: The amendment of the committee was adopted; when

Mr. Wilson moved further to amend by inserting, after the word "taxes," in line 10, sec. 1, the words "for the year 1867 and thereafter." Which was not adopted.

Mr. Crawford moved to amend, by inserting the words "and county" after the word "State," in line 10, sec. 1. Adopted.

Mr. Blythe moved further to amend by inserting, in line 8, sec. 1, before the word "five," the words "one, two;" which was adopted.

Mr. Moore, of Martin, moved to strike out all in sec. 4, after the word "authorized," and insert, in lieu thereof, "to borrow for the benefit of the Common Schools by the hypothecation of stocks, &c., belonging to the Literary Fund, money to

the amount of $200,000 per annum, at not more than eight per cent. interest;" which was not adopted.

Mr. Smith, of Hertford, offered a substitute for the bill; which was not adopted.

Mr. Dalby offered as a substitute Senate bill 109; which was not adopted.

The bill then passed its second reading,—yeas 57, nays 47; the yeas and nays being demanded by Mr. Caldwell.

Those who voted in the affirmative are:

Messrs. Allison, Ashworth, Baxter, Beasley, Black, Blackmer, Blythe, Burton, Caldwell, Cameron, Candler, Cox, Craig, Crawford, Davis, of Carteret, Davis, of Halifax, Dickey, Dunn, Faison, Ferrell, Foster, Gaines, Garland, Gidney, Hamilton, Hodnett, Holderby, Houston, Jenkins, of Granville, Jenkins, of Warren, Jones, Joyner, Judkins, Kenan, Kinney, Lee, of Gates, Logan, Marler, Matthews, McGuire, McIntosh, McNair, Mott, Nicks, Newsum, Page, Palmer, Potter, Shaw, Smith, of Guilford, Stilley, Teague, Thigpen, Waugh, Williams, Wilson and York.

Those who voted in the negative are:

Messrs. Arrington, Barnett, Blair, Bonner, Bryson, Campbell, Carson, Chadwick, Cowan, Dalby, Dargan, Everett, Faircloth, of Wayne, Farrow, Flythe, Furr, Harper, Harrington, Hawes, Hoke, Holmes, Hutchison, Jenkins, of Gaston, Leigh, of Tyrrell, Lucas, Luke, Lyon, McAden, McDonald, McEachern, Melson, Moore, of Alamance, Moore, of Chatham, Moore, of Martin, Murrill, Niven, Rosebro', Simmons, Smith, of Columbus, Smith, of Hertford, Scoggin, Thompson, Trull, Webb, Wheeler, Whitley and Yellowley.

Senate resolution in behalf of disabled soldiers. Referred to the Committee on Claims.

Bill to authorize sale of a public lot to the City of Raleigh for a burial ground. Passed its several readings, and ordered to be engrossed.

Senate resolution in reference to "Sketches of Lower North-

Carolina." Passed its several readings, and ordered to be enrolled.

Bill to authorize the sale of the Roanoke Valley Railroad. Passed its several readings, and ordered to be engrossed.

Resolution providing for repairs to the Capitol. Passed its several readings, and ordered to be engrossed.

Bill to require a deposit of securities to be made by foreign Insurance Companies doing business in this State. Passed its several readings, and ordered to be engrossed.

Bill to prevent amalgamation of the white and colored races. Tabled.

Bill to authorize Registers to appoint deputies. Tabled.

Bill to reduce the penal bonds of sheriffs and other officers. Passed several readings, and ordered to be engrossed.

Bill to incorporate the Business Exchange of Elizabeth City, and vicinity. Passed its several readings, and ordered to be engrossed.

Senate bill to incorporate the Rock Island Manufacturing Company. Passed its several readings, and ordered to be enrolled.

Senate bill concerning private acts of incorporation. Tabled.

Bill concerning Attornies at Law. Indefinitely postponed.

The following resolutions were introduced by leave, viz:

By Mr. Niven: Resolution in favor of D. W. Chambers. Under a suspension of the rules, passed its several readings, and ordered to be engrossed.

By Mr. McNair: Resolution in favor of Theodore N. Ramsay. Referred to the Committee on Claims.

On motion of Mr. Smith, of Hertford, the bill for the collection of Revenue was made the special order for Monday next, 5th inst., 11 o'clock.

Received a message from the Senate, concurring in the House recommendation of magistrates for the county of Lenoir.

Also, transmitting sundry recommendations for the counties of Hertford and Wayne; which were concurred in.

Also, transmitting the following engrossed bill and resolution, and asking the concurrence of the House therein, viz:

Bill to extend the operation of an ordinance appointing a Judge to determine State claims to property; and

Resolution in favor of S. R. Bunting, Administrator of W. T. J. Vann, late sheriff of New Hanover,—

Which were respectively placed on file.

On motion, the House adjourned until to-morrow morning, 10 o'clock.

SATURDAY, March 3, 1866.

Additional recommendations of magistrates for the counties of Wake, Wilkes and Catawba were submitted, approved and sent to the Senate for concurrence.

The Speaker presented a memorial from citizens of Chatham county, praying a change in the time of holding the Courts of Pleas and Quarter Sessions of said county; which was referred to the Committee on Propositions and Grievances.

Mr. Cowan, from the Committee on Finance, reported favorably upon the bill supplemental to, and amendatory of, an an act to re-organize the Corporation Government of the City and Academy of Newbern.

Mr. Wheeler, from the Committee on Claims, reported favorably upon

Resolution in favor of R. H. Bradley, Keeper of the State Capitol; and

Resolution in favor of Theodore N. Ramsay.

Mr. Niven, from the same Committee, reported unfavorably upon

Resolution in favor of J. L. & W. S. Alexander; and

Memorial of Daniel Tucker;

Both of which were ordered to lie upon the table.

Mr. Webb, from the Committee on Military Affairs, reported "A bill to re-enact chap. 70, Revised Code, entitled "Militia," and to amend the same; which was placed on file.

Mr. Hoke, from the Committee on the Judiciary, to whom was referred a bill "to raise a Sinking Fund," reported a substitute for the same, entitled "A bill to raise revenue from taxing Railroad receipts;" which was placed on file and ordered to be printed.

Mr. Chadwick, from the Special Committee to whom was referred "A bill to amend sec. 64, chap. 60, Revised Code," reported adversely to the same.

Mr. McNair, from the Special Committee to whom was referred a resolution of enquiry "as to the condition of the suffering poor in those regions of country devastated by the Federal armies," submitted a report thereon, accompanied by the following resolution, viz:

"*Resolved*, That the Public Treasurer be authorized to loan to the Chairmen of the County Courts of those counties, that have been devastated by the Federal armies, a sum of money not exceeding five thousand dollars,—first taking bond, with approved security, payable within two years after date."

Which was placed on file.

The following resolutions and bills were introduced, and disposed of, as follows, viz:

By Mr. Blair: Resolution restricting debate. Lies over under the rules.

By Mr. Leigh, of Tyrrell: Bill for relief of Henry B. Norman, late Sheriff of Tyrrell county. Filed.

By Mr. McGuire: Bill to incorporate County Line Lodge, No. 224, A. Y. M. Filed.

By Mr. Hoke: Resolutions calling for information from the Governor and Public Treasurer relative to cotton and rosin belonging to the State.

The resolution, introduced on yesterday, precluding leaves

of absence from and after to-day, was, on motion of Mr. Kinney, laid on the table.

Received a message from the Senate, transmitting the following engrossed resolutions and bills, and asking the concurrence of the House therein, viz:

Resolution in favor of John True, and others. Referred to the Committee on Claims.

Bill to authorize the Public Treasurer to receive and invest the land scrip donated to this State by Congress, for endowment of Agricultural College, &c. Under a suspension of the rules, passed its several readings, and ordered to be enrolled.

Bill to authorize the Wil., Char. & Ruth. R. R. Company to extend said road from Rutherfordton, &c. Referred to the Committee on Internal Improvements.

Resolution in relation to the Public Printing and Binding. Placed on file.

On motion of Mr. Waugh, the vote by which the bill "for the relief of Sheriffs and Tax Collectors" was heretofore indefinitely postponed, (and of a motion to re-consider which notice had previously been given,) was re-considered; and, after some time spent in discussion thereon,

The bill was, on motion of Mr. Moore, of Martin, laid on the table.

On motion of Mr. Jenkins, of Warren, the bill "in relation to the Judiciary" was made the special order for Monday next, 5th inst., 12 o'clock.

The calendar of bills on their second reading was then taken up, when the following passed their several readings and were ordered to de engrossed, viz:

Bill to extend time for the collecting of taxes under the Revenue Ordinance of the Convention;

Bill to incorporate the North-Carolina Mining Company;

Bill to extend relief to Robert Christy, and others;

Bill for relief of owners of lands and houses; and,

Bill to amend act concerning Justices of the Peace.

And the following were ordered to be enrolled, viz:

Senate bill to amend an act entitled "An act for the relief of landlords;"

Senate bill to incorporate the Carolina Joint Stock Insurance and Trust Company; and

Senate bill to extend the limits of the town of Swansboro'.

The following additional dispositions were made of bills on their second reading, viz:

Senate bill to give original jurisdiction to the Supreme Court in certain cases. Referred to the Committee on the Judiciary.

Bill to authorize the President of the Western North-Carolina Railroad Company to borrow money on the faith and credit of the State. Referred to the Committee on Internal Improvements.

The following bills, coming up on their third reading, passed the same and were ordered to be engrossed, viz:

Bill to authorize the Chairman of the County Court of Alamance to sell Real Estate; and.

Bill to amend ch. 75 Revised Code, entitled "Notaries."

On motion of Mr. Smith, of Hertford, the vote, by which the bill "for the collection of Revenue" was made the special order for Monday, 5th inst., 11 o'clock, was reconsidered, and the same was taken up; when

Mr. Caldwell moved to amend by inserting the words "or tax" after the word "Captain's," in line 8, sec. 1. Lost.

Mr. Smith, of Columbus, moved to amend by striking out the word "Captain's," same line and section, and inserting the word "election." Lost.

Mr. Harper moved to amend by striking out all after the word "made" in line 11, sec. 5, Schedule A, and inserting "for the present year on the basis of the valuation of real estate in 1860, and, thereafter, on the basis of the last preceding valuation." Adopted.

Mr. Harper moved further to amend by adding, at the close of the bill, the following as an additional section, viz:

"That it shall be the duty of the Public Treasurer to prepare instructions and forms for assessors, tax collectors, and others charged with the execution of this act, and the act of the present session entitled "Revenue," for their direction and guidance in performing their several duties, and, in case of doubt or difficulty, to obtain the opinion of the Attorney General as to the true intent and meaning of said act: And that the Treasurer cause to be printed, as soon as practicable, and distributed to the several counties, not less than ten copies for each member of the House of Commons, to which any county is entitled, of the aforesaid acts, and instructions, and such additional number as, in his judgment, may be required for the use of his office."

Which was adopted.

The bill then passed its second and third readings and was ordered to be engrossed.

Received a message from the Senate, transmitting recommendations of magistrates for the counties of Moore and Rutherford; which were concurred in.

On motion of Mr. Waugh, the House adjourned until Monday morning, 10 o'clock.

MONDAY, March 5, 1866.

Prayer by Rev. Mr. Atkinson.

Leave of absence for the remainder of the session was granted to Messrs. Burgess, Hawes, Simmons and Crawford.

An additional list of magistrates for the county of Davidson was submitted, approved, and sent to the Senate for concurrence.

The Speaker announced Messrs. Paschall, Thigpen, Ash-

worth, Leigh, of Tyrrell, and Foster as constituting the Committee on enrolled bills for the week.

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

By Mr. Smith, of Columbus: Instructing the Judiciary Committee to enquire whether chaps. 16, 21, 23, 25 and 26, Acts of 1864–'65, are still in force. So referred.

By Mr. Gidney: Resolution in behalf of disabled soldiers. Referred to Committee on Finance.

By Mr. Jones: Resolution in favor of Catherine Kendall. Same reference.

By Mr. Scoggin: Resolution prescribing compensation of officers and members of the General Assembly. Propositions and Grievances.

Mr. Blackmer, from the Committee on Corporations, reported favorably upon bill to amend the act of incorporation of the town of Newton; and

Bill to amend the charter of the Williamston and Tarboro' Railroad Company; which, under a suspension of the rules, passed its several readings and was ordered to be engrossed.

Mr. Murrill, from the Committee on Propositions and Grievances, to whom was referred a memorial from citizens of Wadesboro', reported back a bill, embodying the prayer of the memorialists; which was read and filed.

Mr. Wheeler, from the Committee on Claims, to whom was referred a resolution in behalf of certain disabled soldiers, reported a substitute for the same.

Sundry amendments were offered; when Mr. McNair moved an indefinite postponement of the whole subject; which was not agreed to,—yeas 44, nays 51.

Mr. Barnett demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Beasley, Black, Blair, Blythe, Bryson, Cameron, Candler, Cowan, Craig, Crawford, Davis, of Carteret, Dickey, Faircloth, of Wayne, Gidney, Hamilton, Harper, Harrington,

Hawes, Henry, Hodnett, Jenkins, of Gaston, Jones, Kinney, Logan, Lucas, Matthews, McDonald, McIntosh, McNair, Melson, Palmer, Potter, Rosebro, Russell, Simmons, Smith, of Columbus, Smith, of Cumberland, Scoggin, Teague, Thompson, Waugh, Williams, Wilson, and York.

Those who voted in the negative are:

Messrs. Allison, Ashworth, Barnett, Blackmer, Bonner, Burgess, Burton, Caldwell, Carson, Chadwick, Cox, Dalby, Dargan, Davis, of Halifax, Dunn, Everett, Farrow, Faison, Foster, Furr, Garland, Holderby, Hoke, Holmes, Horton, Houston, Hutchison, Hyman, Jenkins, of Granville, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Leigh, of Tyrrell, Luke, Lyon, Marler, McEachern, McGuire, Moore, of Alamance, Moore, of Martin, Mott, Murrill, Niven, Nicks, Stilley, Thigpen, Trull, Wheeler and Whitley.

Mr. Russell moved to commit the resolution to the committee on Finance. Which was agreed to,—yeas 56, nays 40,—the yeas and nays being demanded by Mr. Barnett.

Those who voted in the affirmative, are:

Messrs. Allison, Ashworth, Beasley, Black, Blair, Blythe, Bonner, Bryson, Burton, Cameron, Campbell, Candler, Chadwick, Craig, Crawford, Dalby, Davis, of Carteret, Faircloth, of Wayne, Farrow, Ferrell, Furr, Hamilton, Harrington, Henry, Hodnett, Holderby, Holmes, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, McDonald, McEachern, McGuire, McIntosh, McNair, Melson, Moore, of Alamance, Moore, of Chatham, Murrill, Palmer, Paschall, Potter, Rosebro', Russell, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Scoggin, Teague, Thompson, Waugh, Webb, Wilson and Yellowley.

Those who voted in the negative, are:

Messrs. Barnett, Burgess, Caldwell, Carson, Cowan, Cox, Dargan, Davis, of Halifax, Dunn, Everett, Faison, Foster, Gaines, Garland, Gidney, Harper, Hawes, Horton, Houston, Hutchison, Hyman, Jenkins, of Warren, Joyner, Judkins, Ke-

nan, Logan, Lucas, Luke, Lyon, Marler, Mott, Niven, Nicks, Smith, of Hertford, Stilley, Thigpen, Trull, Wheeler, Whitley and Williams.

Mr. Wheeler introduced a bill to regulate the sale of spirituous liquors in the town of Salem; which, under a suspension of the rules, passed its several readings and was ordered to be engrossed.

Mr. Everett, by leave, introduced a resolution in favor of C. H. Brogden; which was referred to the Committee on Claims.

The special order, to wit: "Bill concerning Judiciary," was then taken up; and, after some time spent in debate thereon, the bill passed its second reading,—yeas 53, nays 46.

Mr. Jenkins demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Barnett, Beasley, Bonner, Burgess, Caldwell, Cameron, Candler, Carson, Chadwick, Cox, Craig, Dargan, Davis, of Halifax, Dickey, Farrow, Foster, Gaines, Garland, Gidney, Harrison, Hawes, Harrington, Holderby, Hoke, Houston, Hutchison, Hyman, Jenkins, of Warren, Joyner, Judkins, Kenan, Lee, of Gates, Logan, Luke, Marler, Matthews, McDonald, Moore, of Alamance, Moore, of Chatham, Moore, of Martin, Murrill, Niven, Palmer, Paschall, Simmons, Smith, of Cumberland, Smith of Guilford, Smith, of Hertford, Thigpen, Waugh, Whitley, Williams and Yellowley.

Those who voted in the negative are:

Messrs. Allison, Ashworth, Black, Blackmer, Blair, Blythe, Bryson, Burton, Campbell, Coates, Cowan, Crawford, Dalby, Davis, of Carteret, Dunn, Faircloth, of Wayne, Furr, Hamilton, Harper, Henry, Hodnett, Holmes, Horton, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Leigh, of Tyrrell, Lucas, Lyon, McEachern, McGuire, McIntosh, McNair, Melson, Mott, Nicks, Potter, Rosebro', Russell, Scoggin, Teague, Thompson, Trull, Webb and Wilson.

Received a message from the Senate, announcing that they

had passed the following engrossed resolution and bills, and asking the concurrence of the House therein, viz:

Resolution in favor of W. E. Mann. Referred to Committee on Claims.

Bill to incorporate the Fayetteville Iron Works Company. Corporations.

Bill to charter the City of Raleigh. Same reference.

Also, a message announcing that they had passed the following engrossed bills, with amendments, and asking the concurrence of the House in the same, viz:

Bill to authorize W. S. Grandy to continue a toll bridge across Pasquotank river; and

Bill to authorize construction of a toll bridge across Catawba river, at or near Rock Island Factory.

The calendar of bills on their second reading was then taken up, when the following dispositions were made, viz:

Senate bill to repeal part of sec. 2, ch. 68 Revised Code. Re-referred to Committee on Judiciary.

Bill to incorporate the town of Charlotte. Amendments of Committee on Corporations adopted, and then referred to Committee on Judiciary.

Bill to authorize the Public Treasurer to make special deposits. Passed its several readings and ordered to be engrossed.

Bill to extend operation of an Ordinance appointing a Judge to determine State claims to property. On motion of Mr. Hoke, laid on table.

Senate bill in favor of Trustee of Randolph county. Passed second reading.

Bill regulating fees in the Supreme Court. Passed second reading.

Bill to amend the charter of the Ashville and Greenville Plank Road Company. Passed second reading.

Bill relating to debts created during the war. Mr. Craig moved to amend by striking out "$1000" and inserting

"$500." Which was adopted,—yeas 55, nays 42; the yeas and nays being demanded by Mr. Craig.

Those who voted in the affirmative are:

Messrs. Allison, Ashworth, Beasley, Black, Blythe, Bryson, Caldwell, Coates, Cowan, Craig, Crawford, Dalby, Davis, of Carteret, Dickey, Garland, Hamilton, Hawes, Henry, Hodnett, Holderby, Houston, Hutchison, Jenkins, of Gaston, Jones, Joyner, Judkins, Kinney, Leigh, of Tyrrell, Logan, Lucas, Lyon, Matthews, McDonald, McEachern, McGuire, Melson, Moore, of Chatham, Mott, Niven, Nicks, Palmer, Rosebro', Simmons, Smith of Columbus, Smith of Cumberland, Smith, of Guilford, Stilley, Scoggin, Thompson, Trull, Waugh, Wheeler, Whitley, Williams and York.

Those who voted in the negative are:

Messrs. Barnett, Blackmer, Blair, Bonner, Burgess, Burton, Cameron, Campbell, Candler, Chadwick, Cox, Dargan, Dunn, Everett, Faircloth of Greene, Faircloth, of Wayne, Foster, Furr, Gidney, Harper, Harrington, Holmes, Horton, Hyman, Jenkins, of Granville, Jenkins, of Warren, Kenan, Lee, of Gates, Luke, Marler, McIntosh, McNair, Moore, of Alamance, Moore, of Martin, Murrill, Russell, Smith, of Hertford, Teague, Thigpen, Webb, Wilson and Yellowley.

The bill then passed its second reading; and, under a suspension of the rules, being put upon its third reading,

After sometime spent in further amendment and discussion, it passed the same, and was ordered to be engrossed,—yeas 76, nays 10.

Mr. Dargan demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Allison, Ashworth, Beasley, Black, Blair, Blythe, Bonner, Bryson, Burgess, Burton, Caldwell, Campbell, Candler, Carson, Coates, Cox, Craig, Crawford, Dalby, Davis, of Carteret, Dunn, Everett, Faircloth, of Wayne, Furr, Garland, Gidney, Hamilton, Harper, Harrington, Hawes, Hodnett, Holderby, Hoke, Holmes, Houston, Hutchison, Jenkins, of

Gaston, Jenkins, of Warren, Jones, Joyner, Judkins, Kinney, Lee, of Gates, Leigh, of Tyrrell, Logan, Marler, Matthews, McDonald, McEachern, McGuire, McIntosh, Melson, Moore, of Chatham, Moore, of Martin, Mott, Murrill, Nicks, Palmer, Potter, Rosebro', Simmons, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Smith, of Hertford, Stilley, Scoggin, Teague, Thigpen, Trull, Waugh, Webb, Wheeler, Whitley, Williams and Wilson.

Those who voted in the negative, are:

Messrs. Cameron, Chadwick, Dargan, Gaines, Jenkins, of Granville, Kenan, Luke, Lyon, McNair and Yellowley.

Received a message from the Senate, announcing Messrs. Boyd, Taylor and Stanford as the Senate branch of the Committee on enrolled bills for the week.

Also, transmitting recommendations of magistrates for the counties of Alleghany and Yadkin; in which the House concurred.

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

TUESDAY, March 6, 1866.

Leaves of absence, from and after to-morrow, were granted to Messrs. Mott, York, Hoke, Hamilton, Williams and Lee, of Gates.

Additional recommendations of magistrates for the counties of Harnett, Edgecombe, Robeson and Tyrrell were submitted, approved, and sent to the Senate for concurrence.

Mr. Smith, of Hertford, from the Committee on Finance, reported unfavorably upon the resolution in favor of Catherine Kendall.

Mr. Luke, from the Committee on Claims, unfavorably upon the resolution in favor of C. H. Brogden.

Mr. Bryson, from the Committee on Internal Improvements,

favorably on the bill to amend the charter of the Wilmington, Charlotte and Rutherford R. R. Company; and

Mr. Everett, from the same Committee, favorably upon the bill to authorize the President of the Western N. C. R. R. Company to borrow money on the faith and credit of the State.

The following bills were introduced, and disposed of as stated, viz:

By Mr. Jenkins, of Warren: Bill to encourage immigration and protect immigrant labor. Referred to Judiciary Committee.

By Mr. Dunn: Bill to consolidate Atlantic and N. C. R. R. Companies. Internal Improvements.

The calendar of bills, &c., on their second reading, was then taken up, when the following failed to pass the same, viz:

Resolution in favor of S. R. Bunting, Administrator.
Bill in favor of H. B. Norman, late Sheriff of Tyrrell.
Bill in favor of W. W. Perkins, of Pitt.
Bill in favor of C. A. Boone, of Guilford.
Bill in favor of Sheriff of Hyde.
Bill in favor of sureties of J. R. White, deceased.
Bill in favor of Hiram Hunter, of Madison.
Bill in favor of J. A. Oates, late sheriff.
Bill in favor of Robt. McFarland, of Polk.
Bill in favor of Wm. Haymore, of Surry.
Bill in favor of Michael Spainhour, of Burke.
Bill in favor of Geo. M. Green, of Cleveland.
Bill in favor of Aden Wiseman, of Mitchell.
Bill in favor of J. N. Benners, and others.
Bill in favor of R. B. Paschall, of Chatham.
Bill in favor of A. J. McBride, sheriff.
Bill in favor of Jesse B. Lee, of Currituck.

And the following were indefinitely postponed, viz:

Bill authorizing Public Treasurer to loan $5,000 to counties devastated by the Federal armies;

Bill for relief of W. B. Campbell, former sheriff, and others;

Bill in favor of Walker Smith, former sheriff.

And the following tabled, viz:

Bill to amend sec. 64, ch. 40 Revised Code; and

Senate bill to appoint a Tax Collector for Lenoir.

And the following, under a suspension of the rules, passed their second and third readings and were ordered to be engrossed, viz:

Bill to incorporate County Line Lodge, Ancient York Masons;

Bill to re-enact chapter 70, Revised Code, entitled "Militia,"—amended, on motion of Mr. Kenan, so as "to authorize the officers appointed under the Ordinance of the Convention to enrol the militia according to the provisions of this act." And

Resolution in favor of disabled soldiers.

The Senate resolution concerning the Public Printing and Binding passed its second and third readings, under a suspension of the rules, and was ordered to be enrolled.

Mr. Manly (by leave) introduced a bill in favor of the estate of L. O'B. Branch; which was referred to the Committee on the Judiciary.

Mr. Thigpen (by leave) from the Committee on Claims, reported favorably on resolution in favor of W. E. Mann.

Mr. McAden moved that the resolution be postponed indefinitely. Agreed to.

On motion of Mr. Hutchison, the House reconsidered the vote by which was rejected the bill to authorize the Banks of the State to subscribe for stock in the National Banks.

The question recurring on the passage of the bill on its second reading, the yeas and nays were ordered, on motion of Mr. Henry.

Those who voted in the affirmative are:

Messrs. Allison, Barnett, Baxter, Beasley, Blackmer, Blair, Blythe, Bonner, Bryson, Burton, Campbell, Candler, Cowan, Cox, Craig, Crawford, Dalby, Davis, of Carteret, Davis, of

Halifax, Dickey, Faison, Foster, Garland, Gidney, Hamilton, Harper, Harrison, Horton, Hutchison, Hyman, Jenkins, of Warren, Jones, Joyner, Judkins, Kenan, Lee, of Gates, Logan, Lucas, Luke, Manly, Marler, McAden, McIntosh, McNair, Moore, of Alamance, Moore, of Martin, Murrill, Palmer, Potter, Russell, Simmons, Smith, of Cumberland, Smith, of Hertford, Teague, Thigpen, Waugh, Webb, Wheeler, Whitley, Williams and Wilson—61.

Those who voted in the negative are:

Messrs. Ashworth, Black, Caldwell, Carson, Coates, Dunn, Everett, Faircloth, of Wayne, Farrow, Furr, Harrington, Henry, Hodnett, Holderby, Houston, Jenkins, of Gaston, Jenkins, of Granville, Kinney, Leigh, of Tyrrell, Lyon, McDonald, McGuire, Melson, Moore, of Chatham, Nicks, Page, Paschall, Rayner, Rosebro', Smith, of Columbus, Smith, of Guilford, Stilley, Scoggin, Thompson, Trull and Yellowley—36.

Mr. Cameron paired off with Mr. Niven.

So the bill passed its second reading.

On motion of Mr. Jenkins, of Warren, the rules were suspended and the bill was put on its third reading.

Mr. Harper offered the following amendment, viz: insert in 1st section, after the words "subscribed for," the words "or deal in." Adopted.

The bill, as amended, passed its third reading.

The engrossed bill concerning salaries and fees passed its several readings, and was ordered to be enrolled.

A message was received from the Senate, transmitting, for concurrence, nominations of Justices of the Peace for Franklin and Currituck counties.

On motion of Mr. Baxter, the list for Currituck county was tabled. List for Franklin concurred in.

On motion of Mr. Hoke, the bill to raise a Sinking Fund was made the special order for eleven o'clock A. M., to-morrow.

On motion of Mr. Wilson, the bill for the benefit of the Common Schools, was taken up for consideration.

Mr. Hutchison offered a substitute for the bill; when

Mr. Cameron moved to amend, by substituting, in — section, "$100,000" for "$50,000." Adopted.

Mr. Allison moved that the House adjourn. Not agreed to.

Mr. Harper moved the indefinite postponement of the bill.

Mr. Luke moved that the House adjourn. Not agreed to.

The question recurring on the motion for indefinite postponement, the yeas and nays were ordered; and it was decided in the negative,—yeas 36, nays 55.

Those who voted in the affirmative are:

Messrs. Black, Blair, Campbell, Carson, Cowan, Dalby, Everett, Faircloth, of Greene, Faircloth, of Wayne, Farrow, Faison, Furr, Harper, Harrington, Henry, Holmes, Horton, Jenkins, of Gaston, Kenan, Leigh, of Tyrrell, Lucas, Luke, Marler, McAden, McEachern, Melson, Moore, of Alamance, Moore, of Martin, Murrill, Rayner, Russell, Smith, of Columbus, Thompson, Webb, Whitley and Yellowley.

Those who voted in the negative are:

Messrs. Allison, Ashworth, Baxter, Beasley, Blackmer, Blythe, Bonner, Bryson, Burton, Caldwell, Cameron, Cox, Craig, Crawford, Davis, of Carteret, Dickey, Foster, Garland, Gidney, Hamilton, Harrison, Hodnett, Holderby, Houston, Hutchison, Hyman, Jenkins, of Warren, Jones, Joyner, Judkins, Kinney, Logan, Manly, McDonald, McGuire, McIntosh, McNair, Niven, Nicks, Page, Palmer, Paschall, Potter, Rosebro', Smith, of Cumberland, Smith, of Guilford, Smith, of Hertford, Stilley, Scoggin, Teague, Thigpen, Trull, Waugh, Williams and Wilson.

On motion of Mr. Hyman, the House adjourned until tomorrow morning, 10 o'clock.

WEDNESDAY, March 7, 1866.

Prayer by Rev. F. P. Brewer.

Additional recommendations of magistrates for the counties of Surry, Alamance, Orange and Stanly were submitted, approved, and sent to the Senate.

Mr. Yellowley, from the Judiciary Committee, reported favorably on the bill to repeal so much of chap. 68, sec. 2, Revised Code, as relates to requiring bonds for marriage licenses.

Mr. Manly, from the same Committee, reported back favorably, with amendment, a bill to amend the second section of the 68th chapter, Revised Code.

Mr. Blackmer, from the same, reported the bill to incorporate the Mayor and Board of Aldermen of the City of Charlotte.

Mr. Smith, of Hertford, from the Committee on Finance, reported a resolution to authorize the publication of sundry acts heretofore passed, with the acts of the present session.

On motion of Mr. Smith, of Hertford, the rules were suspended, and the resolution passed its several readings. Engrossed.

Mr. Harper, from the same Committee, reported a resolution in favor of certain disabled soldiers, heretofore referred, with a substitute, recommending its passage.

Leave of absence, from and after to-day, was granted Mr. Dargan.

Received a message from the Senate, transmitting an engrossed bill to amend chap. 40, Revised Code, entitled "Draining and Damming Lowlands," asking concurrence.

On motion of Mr. Hyman, the rules were suspended, and the bill passed its several readings. Enrolled.

On motion of Mr. Manly, the House took up a bill supplemental to, and amendatory of, an act to re-organize the corporate government of the City and Academy of Newbern, passed at this session of the General Assembly.

The rules were suspended, and the bill passed its second and third readings, and was ordered to be engrossed.

On motion of Mr. Craig, the Senate bill to authorize the President of the Western North Carolina Railroad Company to borrow money, on the faith and credit of the State, was taken up. The bill passed second and third readings, under a suspension of the rules, and was ordered to be enrolled.

At 11 o'clock, A. M., the special order for that hour was taken up, viz: The bill to raise a Sinking Fund, and a substitute therefor, reported from the Judiciary Committee, viz: "A bill to raise revenue from taxing railroad receipts."

Mr. Cowan moved that the bill be indefinitely postponed.

Mr. Jenkins, of Warren, moved that it be laid on the table; which was not agreed to.

The question recurring on the motion to postpone indefinitely, the yeas and nays were ordered, on motion of Mr. Dickey, and the motion prevailed,—yeas 47, nays 46.

Those who voted in the affirmative are:

Messrs. Beasley, Black, Bonner, Burton, Caldwell, Cameron, Campbell, Chadwick, Cowan, Cox, Dargan, Davis, of Carteret, Everett, Faircloth, of Wayne, Farrow, Faison, Foster, Gaines, Gidney, Harper, Harrington, Henry, Holderby, Houston, Jenkins, of Warren, Joyner, Judkins, Kenan, Logan, Lucas, Luke, Manly, Marler, McEachern, McNair, Niven, Newsum, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Smith, of Hertford, Thigpen, Trull, Waugh, Whitley, Williams and Wilson.

Those who voted in the negative are:

Messrs. Allison, Arrington, Ashworth, Baxter, Blackmer, Blair, Blythe, Bryson, Carson, Coates, Craig, Dalby, Davis, of Halifax, Dickey, Dunn, Faircloth, of Greene, Garland, Hamilton, Harrison, Hodnett, Hoke, Holmes, Horton, Hutchison, Jenkins, of Gaston, Jones, Kinney, Lyon, McAden, McDonald, McGuire, McIntosh, Melson, Moore, of Alamance, Moore, of

Chatham, Murrill, Nicks, Palmer, Potter, Rosebro', Russell, Simmons, Stilley, Scoggin, Teague, Webb and Yellowley.

The ensuing special order was then taken up; viz: The bill improving the law of evidence, on its third reading.

The yeas and nays were ordered, on motion of Mr. Jenkins, of Warren, and the bill passed its third reading,—yeas 66, nays 38.

Those who voted in the affirmative are:

Messrs. Allison, Barnett, Baxter, Beasley, Blackmer, Blair, Blythe, Bonner, Caldwell, Cameron, Carson, Chadwick, Cowan, Cox, Dalby, Dargan, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Faison, Foster, Furr, Gaines, Gidney, Hamilton, Harper, Hoke, Holmes, Horton, Houston, Hyman, Jenkins, of Gaston, Jones, Kenan, Kinney, Logan, Lucas, Luke, Manly, Marler, Matthews, McAden, McDonald, McEachern, McGuire, McIntosh, Moore, of Alamance, Moore, of Chatham, Moore, of Martin, Murrill, Niven, Nicks, Paschall, Potter, Rosebro', Smith, of Columbus, Smith, of Hertford, Teague, Trull, Webb, Wheeler, Whitley, Williams and Wilson.

Those who voted in the negative, are:

Messrs. Arrington, Ashworth, Black, Bryson, Burton, Campbell, Candler, Coates, Craig, Everett, Farrow, Garland, Harrison, Harrington, Henry, Hodnett, Holderby, Hutchison, Jenkins, of Granville, Jenkins, of Warren, Joyner, Judkins, Leigh, of Tyrrell, Lyon, McNair, Melson, Newsum, Palmer, Russell, Simmons, Smith, of Cumberland, Smith, of Guilford, Stilley, Scoggin, Thigpen, Thompson, Waugh and Yellowley.

Received a message from His Excellency, the Governor, transmitting, in response to a resolution of the House, the correspondence relative to certain cotton belonging to the State.

On motion of Mr. Hoke, the message and accompanying papers were sent to the Senate, with a proposition to refer

them to a select committee, to consist of three on the part of the House and two on the part of the Senate.

Received a message from the Senate, transmitting the following resolution, asking concurrence, viz:

Resolved, That a message be sent to the House of Commons, proposing to go into an election of Solicitor for the 4th Judicial District, as that office is now vacant, the person elected holding an office incompatible therewith.

The message also announced the nomination of Hon. Thos. Settle in the Senate.

Mr. Baxter nominated Hon. A. M. Scales.

The House concurring, proceeded to vote as follows, Messrs. Baxter and Holderby superintending the election:

For Mr. Settle—Messrs. Speaker, Ashworth, Barnett, Beasley, Black, Blackmer, Blair, Blythe, Bryson, Burton, Caldwell, Cameron, Campbell, Candler, Carson, Coates, Craig, Dalby, Dargan, Davis, of Carteret, Dickey, Donnell, Dunn, Everett, Faircloth, of Greene, Faircloth, of Wayne, Furr, Gaines, Garland, Hamilton, Harper, Harrison, Harrington, Henry, Hodnett, Holderby, Holmes, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Joyner, Kinney, Logan, Lucas, Lyon, Matthews, McAden, McDonald, McEachern, McGuire, McIntosh, Melson, Moore, of Alamance, Moore, of Chatham, Murrill, Nicks, Newsum, Palmer, Potter, Rosebro', Russell, Simmons, Smith, of Columbus, Smith, of Guilford, Scoggin, Teague, Thompson, Waugh, Wheeler and Wilson.—72.

For Mr. Scales—Messrs. Allison, Arrington, Baxter, Bonner, Chadwick, Cowan, Cox, Farrow, Faison, Foster, Gidney, Hoke, Hyman, Jenkins, of Warren, Judkins, Kenan, Leigh, of Tyrrell, Luke, Manly, Marler, McNair, Moore, of Martin, Niven, Smith of Cumberland, Smith, of Hertford, Thigpen, Trull, Whitley, Williams and Yellowley—30.

Mr. Baxter, from the committee to superintend the election, reported subsequently as follows: Whole number of vote cast

146. Necessary to a choice 74. Mr. Settle received 106 votes and Mr. Scales 40. Mr. Settle elected.

Mr. Dunn (by leave) introduced "a bill to extend the corporate limits of the town of Kinston and for other purposes." Referred to the Committee on Corporations.

The House resumed the unfinished business, viz: "A bill for the benefit of the Common Schools," and the question recurring on the substitute offered by Mr. Hutchison, Mr. Smith, of Hertford, moved to amend by striking out the 9th section of the proposed substitute, and inserting the following:

Be it further enacted, That the Public Treasurer be authorized to pay to the President and Directors of the Literary Fund, on their warrant, from time to time, seventy-five thousand dollars, for the support of the Common Schools for the present year: *Provided*, That not more than twenty-five thousand dollars shall be payable before the 1st day of January, A. D., 1867.

Which motion prevailed.

The question recurring on the adoption of the substitute, as amended, the yeas and nays were ordered, on motion of Mr. Jenkins, of Warren, and it was adopted,—yeas 57, nays 31.

Those who voted in the affirmative, are:

Messrs. Allison, Ashworth, Barnett, Black, Blythe, Bonner, Bryson, Cameron, Campbell, Candler, Carson, Chadwick, Cowan, Dargan, Davis, of Carteret, Everett, Faircloth, of Wayne, Faison, Furr, Gaines, Gidney, Hamilton, Harper, Harrison, Holmes, Hutchison, Hyman, Jenkins, of Gaston, Kenan, Kinney, Logan, Lucas, Luke, Manly, Marler, McAden, McDonald, McEachern, McIntosh, Moore, of Chatham, Moore, of Martin, Murrill, Niven, Nicks, Palmer, Rayner, 'Rosebro', Russell, Simmons, Smith, of Columbus, Smith, of Hertford, Scoggin, Thigpen, Webb, Wheeler, Williams and Yellowley.

Those who voted in the negative, are:

Messrs. Baxter, Beasley, Blackmer, Blair, Burton, Caldwell, Coates, Craig, Dalby, Dickey, Dunn, Faircloth, of Greene,

Garland, Harrington, Hodnett, Holderby, Houston, Jenkins, of Warren, Jones, Judkins, McNair, Melson, Newsum, Potter, Smith, of Cumberland, Smith, of Guilford, Teague, Trull, Waugh, Whitley and Wilson.

The question recurring on the passage of the bill, as amended, the yeas and nays were ordered, on motion of Mr. Jenkins, of Warren, and it passed,—yeas 49, nays 40.

Those who voted in the affirmative are:

Messrs. Allison, Ashworth, Barnett, Black, Blythe, Bonner, Bryson, Burton, Cameron, Candler, Carson, Chadwick, Cowan, Dargan, Davis, of Carteret, Dickey, Faircloth, of Wayne, Faison, Gaines, Garland, Gidney, Hamilton, Hodnett, Holderby, Horton, Houston, Hutchison, Hyman, Jones, Kenan, Kinney, Logan, Lucas, Luke, Manly, Marler, McDonald, McIntosh, Moore, of Chatham, Moore, of Martin, Murrill, Niven, Palmer, Smith, of Hertford, Scoggin, Thigpen, Webb, Wheeler and Williams.

Those who voted in the negative are:

Messrs. Baxter, Beasley, Blackmer, Blair, Caldwell, Coates, Craig, Dalby, Dunn, Everett, Faircloth, of Greene, Furr, Harper, Harrison, Harrington, Holmes, Jenkins, of Gaston, Jenkins, of Warren, Judkins, Leigh, of Tyrrell, McAden, McEachern, McGuire, McNair, Melson, Nicks, Newsum, Rayner, Rosebro, Russell, Simmons, Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Teague, Trull, Waugh, Whitley, Wilson and Yellowley.

Mr. Faircloth entered a motion to reconsider bills for the relief of the sheriffs of Beaufort, Carteret and Craven counties.

Mr. Baxter entered a motion to reconsider a bill for the relief of the sheriff of Currituck county.

On motion of Mr. Dargan, the House adjourned until ten o'clock to-morrow.

THURSDAY, March 8, 1866.

Mr. Blackmer, from the Committee on Corporations, reported favorably, with amendment, upon "a bill to extend the corporate limits of the town of Kinston and for other purposes."

On motion of Mr. Jenkins, of Warren, the bill "in relation to the Judiciary" was taken up and laid on the table.

The Senate resolution, "in favor of disabled soldiers," was taken up, on motion of Mr. Wheeler. The resolution was amended, by the adoption of a substitute reported from the Committee on Claims.

The rules were suspended, on motion of Mr. Manly, and it passed, as amended, its second and third readings, and was ordered to be enrolled.

On motion of Mr. Russell, bill to amend chapter 60, Revised Code, was taken from the table.

Mr. Lucas offered a substitute therefor, bearing the same title.

Mr. Caldwell moved that the bill be postponed indefinitely; which was not agreed to.

The substitute was then adopted, and the bill, as amended, passed second and third readings, under a suspension of the rules, and was ordered to be engrossed.

The following bills and resolutions, coming up on their second reading, were severally disposed of, as stated:

Bill to repeal so much of section second, chapter sixty-eight, Revised Code, as relates to requiring bonds for marriage licenses;

Bill to incorporate a Savings Institution in the city of Newbern; and

Resolutions in favor of R. H. Bradley and Theo. N. Ramsey,

Passed second and third readings, under a suspension of the rules, and were ordered to be engrossed.

The following were laid on the table, viz:

Resolution in favor of Catherine Kendall;

Resolution in favor of C. H. Brogden;

Resolution concerning Swamp Lands; and

Bill to enable the Fayetteville and Florence Railroad Company to establish a National Bank in the town of Fayetteville.

On motion of Mr. Blackmer, the engrossed bill to amend the charter of the Wilmington, Charlotte and Rutherford Railroad Company was then taken up, when the rules were suspended and the bill passed its second and third readings, and was ordered to be enrolled.

Senate bill to amend chapter 68, Revised Code, was put on its second reading.

Mr. Waugh moved that it be laid on the table. Not agreed to.

Mr. Jenkins, of Granville, moved that it be indefinitely postponed. Not agreed to.

Amendments reported from the Judiciary Committee were then adopted, and the bill passed second reading; and, being read the third time,

Mr. Niven moved to amend the bill, by striking out the word "eighteen" and inserting "seventeen," before the word "years" in the 10th line of sec. 1. Not agreed to.

Mr. Dalby moved to amend by striking out "eighteen" and inserting "sixteen" instead. Not agreed to.

Mr. Farrow moved that the bill be laid on the table, which was not agreed to.

The bill then passed its third reading. Enrolled.

A message was received from the Senate, announcing its concurrence in the proposition to refer the message and correspondence relative to cotton belonging to the State, to a Joint Select Committee; also, proposing that the papers be printed. The House concurred.

A bill to regulate fees in the Supreme Court, passed third reading.

A resolution in favor of the Trustee of Randolph county, coming up on its third reading,

Mr. McNair moved to lay it on the table. Not agreed to.

The bill then passed and was ordered to be enrolled.

Bill to amend the charter of the Ashville and Greenville Turnpike Company. Amended, on motion of Mr. Jenkins, of Warren, by striking out the words "one hundred per cent." and inserting "fifty per cent." as the increase on tolls heretofore allowed. Passed third reading, as amended, and ordered to be engrossed.

Received a message from the Senate, asking concurrence in nominations of Justices of the Peace for the counties of Jones, Orange and Northampton. Concurred in.

Received a message from the Senate, announcing concurrence in House nominations of Justices of the Peace for the counties of Surry, Stanly, Orange and Alamance.

Resolution in favor of John True and others—disabled soldiers—being called up on second reading, the substitute reported from the Judiciary Committee was amended, on motion of Mr. Russell, by striking out, in the first resolution, the words "and required," after the word "authorized." It then passed, as amended.

Bill authorizing the renewal of certain State Bonds in the hands of the Chatham Railroad Company, was rejected on second reading, but was subsequently reconsidered, on motion of Mr. Wheeler, and passed second and third readings.

Bill to amend an act to encourage and promote the planting of oysters and clams passed second reading. The rules were subsequently suspended, and the bill put on its third reading.

Mr. Davis, of Carteret, moved to amend the bill, by inserting a proviso that the operation of this act shall not extend to the counties of Carteret and Hyde. Adopted.

The bill, as amended, passed third reading, and was ordered to be engrossed.

A resolution making appropriation for the Governor's Mansion" was put on its second reading.

On motion of Mr. Bryson, the yeas and nays were ordered on its passage, and it failed,—yeas 7, nays 85.

Those who voted in the affirmative are:

Messrs. Barnett, Blackmer, Cameron, Cowan, Dunn, Faircloth, of Wayne and Horton.

Those who voted in the negative are:

Messrs. Allison, Arrington, Ashworth, Baxter, Beasley, Blair, Blythe, Bonner, Bryson, Burton, Caldwell, Campbell, Candler, Carson, Chadwick, Coates, Cox, Dalby, Davis, of Carteret, Davis, of Halifax, Dickey, Everett, Faircloth, of Greene, Farrow, Ferrell, Flythe, Foster, Furr, Garland, Gidney, Harrison, Harrington, Henry, Hodnett, Holderby, Houston, Hutchison, Jenkins, of Gaston, Jenkins, of Granville, Jenkins, of Warren, Jones, Joyner, Judkins, Kenan, Kinney, Leigh, of Tyrrell, Logan, Lucas, Luke, Lyon, Manly, Marler, Matthews, McDonald, McEachern, McGuire, McIntosh, McNair, Melson, Moore, of Chatham, Moore, of Martin, Murrill, Niven, Nicks, Newsum, Page, Palmer, Paschall, Potter, Rosebro', Smith, of Columbus, Smith, of Cumberland, Smith, of Guilford, Smith, of Hertford, Stilley, Scoggin, Teague, Thigpen, Thompson, Trull, Waugh, Wheeler, Whitley, Wilson and Yellowley.

Mr. Smith, of Hertford, entered a motion to re-consider this vote.

Received a message from the Senate, transmitting "a bill to change the jurisdiction of the courts and the rules of pleading therein," with amendments, in which they ask concurrence.

The amendments are as follows:

1st. Insert in the 1st section, line 3, after the word "that," the words "from and after the 1st day of July," A. D. 1866. Add at the end of said section as follows: "*Provided, further*, That all writs of debt, assumpsit, covenant and account issued to Spring Term, 1866, shall be returned to Fall Term, 1866. *Provided, further*, That in all suits *ex contractu*, the

defendant or defendants shall be allowed six months from the return term to plead or demurr."

2nd. Add to sec. 3 as follows: "*Provided*, Nothing contained in this section shall be held to revive dormant judgments."

3rd. Add to section 9 as follows: "That all deeds of trust and mortgages hereafter made, and judgments confessed to secure debts, shall be void as to creditors, unless it expressly declares therein that the proceeds of sale thereunder shall be appropriated to the payment of all the debts and liabilities of the trustor or mortgagee equally *pro rata*. *Provided*, That the provisions of this section shall not apply to sheriffs or other public officers who may make a mortgage or deed in trust to secure sureties to their official bonds: *And provided further*, That this act shall not apply to sales of land or other property, where the deed of trust or mortgage is taken at the time of sale to secure any part of the purchase money thereof, nor to any such deed made by a lessee of land for any crop growing upon the same for the purpose of securing the rent reserved for the lease of said land.

4 Insert in line 12, section 14, the words "and ninth" after the words "first."

5. In line 15, section 14, insert after the word "Equity" as follows: "nor debts contracted since first day of May, 1865."

6th. Add section 15, as follows:

"SEC. 15. *Be it further enacted*, That in all suits brought by any bank of the State, or by any assignee or endorsee of said bank, or any officer of said bank, that it shall and may be lawful for the defendant or defendants to set off by plea, or on trial, any note issued by said bank or its branches, whether the same has been presented for payment or not, any law or usage to the contrary notwithstanding: but said plea of set off, or set off on trial, shall not avail to carry costs against the plaintiff, unless there has been a tender of such payment before suit has been brought; *Provided*, That this act shall

not apply to any debt reduced by the scale of depreciation of Confederate currency."

The House concurred in the amendments to the first and third sections.

On the question of concurring in the amendment to section 9, the yeas and nays were ordered, on motion of Mr. Jenkins, of Warren.

Mr. Blackmer moved to lay the amendment on the table; which was not agreed to.

The question recurring, the House refused to concur in said amendment,—yeas 43, nays 51.

Those who voted in the affirmative are:

Messrs. Ashworth, Barnett, Beasley, Blair, Blythe, Caldwell, Carson, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Flythe, Gidney, Henry, Hodnett, Holderby, Holmes, Horton, Houston, Jenkins, of Gaston, Jones, Kinney, Logan, Lucas, Marler, Matthews, McDonald, McEachern, McGuire, Melson, Moore, of Chatham, Newsum, Page, Palmer, Paschall, Potter, Smith, of Columbus, Smith, of Guilford, Stilley, Scoggin, Thompson, Waugh and Whitley.

Those who voted in the negative are:

Messrs. Allison, Arrington, Baxter, Black, Blackmer, Bonner, Bryson, Burton, Campbell, Candler, Chadwick, Coates, Cowan, Cox, Dalby, Davis, of Halifax, Everett, Faircloth, of Wayne, Farrow, Foster, Furr, Garland, Harrington, Harrison, Hilliard, Hutchison, Jenkins, of Granville, Jenkins, of Warren, Joyner, Judkins, Kenan, Leigh, of Tyrrell, Luke, Lyon, Manly, McAden, McIntosh, McNair, Moore, of Alamance, Moore, of Martin, Murrill, Niven, Nicks, Rosebro', Smith, of Cumberland, Smith, of Hertford, Teague, Thigpen, Trull, Wilson and Yellowley.

The House also refused to concur in the amendment proposed to the 12th line of section 14.

The other amendments were concurred in.

Bill to incorporate the Mayor and Aldermen of the City of

Charlotte passed second and third readings, (amendments proposed by the Committee on Corporations having been first adopted,)and it was ordered to be engrossed.

Bill to charter the City of Raleigh passed second and third readings, with like amendment. Engrossed.

Mr. Lucas submitted additional nominations of Justices of the Peace for Bladen county. Approved and transmitted to the Senate.

Received a message from the Senate, transmitting an engrossed bill for the relief of the people of the several counties of the State, asking concurrence.

The bill passed first and second readings, when the rules were suspended, and it was read a third time.

Mr. Nicks moved that it be referred to the Committee on Propositions and Grievances. Not agreed to.

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

Mr. Joyner (by leave,) introduced a bill to incorporate the Weldon Publishing Company, which passed its several readings, under a suspension of the rules.

On motion of Mr. Dunn, the bill to extend the corporate limits of the town of Kinston was taken up. The rules were suspended, and the bill passed second and third readings.

On motion of Mr. McNair, the House adjourned until 10 A. M. to-morrow.

FRIDAY, March 9, 1866.

Prayer by Rev. Dr. Smedes.

Mr. Manly, from the Committee on the Judiciary, reported favorably on Senate bill for the relief of the people of the several counties of the State.

Mr. Allison, from the Joint Select Committee on Banking, submitted the following report, which was sent to the Senate:

The Joint Select Committee, to whom was referred the resolution to take into consideration the policy and practicability of establishing a National Bank in the State of North-Carolina, to aid the State in its financial operations, and to supply the people thereof with a healthy currency, based upon a mortgage of real estate on the part of individuals, and the hypothecation of stock on the part of the State, in order to raise a sufficient fund for the establishment of said Bank, and to report by bill or otherwise, have had the same under consideration and make the following report:

The State is now suffering from one of those political convulsions, which rarely happen, but when they do, most generally leave the people poor in property and exhausted in energy—the State crippled in finances, and its public credit impaired. This may be said to be the condition of North-Carolina to-day. To stimulate the energy of the people, and restore the credit of the State, is the duty of the Legislature. This, we think, can be done by wise and prudent legislation. The want of a healthy currency, and the difficulties the State has to encounter in its financial operations, is admitted by all; to produce a sound and healthy currency, time and confidence are required.

To aid the State in its finances, and to supply a sound circulating medium, a well regulated system of banking is needed. How these Banks shall be established, and where the money is to come from, is easier asked than answered. Previous to the war no State had a better currency than North-Carolina; and there was no difficulty then in getting money to start a Bank under State authority. Now such Banks are impracticable, and not to be thought of. The National Banking system is the settled policy of the country.

The question arises, what scheme is practicable to put this system in operation in this State, in its present impoverished condition? Shall it be by the State or individuals, or by both together? If the State should desire to raise funds for this

purpose, it could only be done by borrowing upon the faith of the State, or by a pledge of stocks. On either of these, money might be raised; but as this would be attended with risk and of doubtful practicability, the Committee recommend that the State should not attempt it at this time.

The Committee are then to consider the other part of the resolution,—that is, raising funds on the part of individuals, by a mortgage on real estate. This, we think, might be done, and managed in such a way as to be both practicable and profitable, and would, therefore, recommend that a company be incorporated by the Legislature, authorizing the raising of one million, five hundred thousand dollars, to be invested in National Banks as the banking capital of the State, to be located at different points—that this amount be subscribed by individuals in such sums as they may desire, for which they should give a bond payable to the corporation, and a mortgage on real estate ample in value to secure said bond, the land to be estimated at its cash value for tax, and to be free from incumbrance. The Company to have power to open books of subscription; to take bonds; to receive and hold mortgages on real estate; to subscribe for stock in a National Bank in the name of each individual stockholder to the amount of his subscription; to receive money on the mortgages, to cancel the same when paid, and re-invest the money for the security of the original bondholder in government or other securities; and as a further security require a certain per cent., say three per cent., to be set apart annually as a sinking fund for the payment of any losses that may occur, and for the better security and payment of the original capital.

This may be considered by some as a wild, visionary scheme. It is, certainly, a new feature in finance in North Carolina. It has some intricacies, but, at the same time, it is believed to be practicable. As an illustration of how it will work, A. has a house and lot worth $2000, or a tract of land worth the same. Either of these are mortgaged for the payment of

$1000, the amount of his subscription, which is considered the best of security. The money so borrowed is invested in bank; he occupies his house or land and gets the benefit from the same. The money is used by the bank, and he draws whatever profit the bank may make after paying interest and expenses. The amount of capital suggested is perhaps too small, though it will give two banks, with a capital of three hundred thousand dollars, and nine with a capital of one hundred thousand dollars each. These would be located by the Board of Directors.

While the Committee view with favor the scheme proposed, they respectfully suggest that, in view of the advanced stage of the session, the care and time required to prepare and perfect the plan, no further action be taken in the matter at this time, and therefore pray to be discharged from the further consideration of the subject.

Respectfully submitted.

R. W. ALLISON, *Chm'n.*

Recommendations for the appointment of magistrates for the counties of Pitt, Edgecombe, Granville, Yancey, Craven, Northampton and Forsythe, were submitted, approved and sent to the Senate for concurrence.

Received messages from the Senate, concurring in House recommendations for the appointment of additional magistrates for the counties of Bladen, Craven, Northampton, Granville, Yancey, Edgecombe and Pitt; also, messages recommending the appointment of additional magistrates for the counties of Bertie, Chatham and Johnston. Concurred in.

Received a message from the Senate, transmitting an engrossed bill to establish a scale of depreciation of Confederate currency, asking concurrence. The bill was read, when

Mr. Jenkins, of Warren, moved that it be rejected. On this question the yeas and nays were ordered, on motion of Mr. Henry; and

The House refused to reject the bill,—yeas 23, nays 74.

Those who voted in the affirmative are:

Messrs. Allison, Arrington, Barnett, Baxter, Blackmer, Blythe, Caldwell, Chadwick, Gidney, Houston, Jenkins, of Gaston, Jenkins, of Warren, Judkins, McAden, McEachern, Moore, of Alamance, Moore, of Martin, Rosebro', Smith, of Guilford, Teague, Webb, Wheeler and Wilson.

Those who voted in the negative are:

Messrs. Ashworth, Beasley, Blair, Bonner, Bryson, Burton, Cameron, Campbell, Candler, Carson, Coates, Cowan, Cox, Craig, Dalby, Davis, of Carteret, Davis, of Halifax, Dunn, Everett, Faircloth, of Greene, Faircloth, of Wayne, Farrow, Faison, Flythe, Foster, Furr, Gaines, Garland, Harper, Harrison, Harrington, Henry, Hilliard, Hodnett, Holderby, Holmes, Horton, Hutchison, Hyman, Jenkins, of Granville, Jones, Joyner, Kenan, Kinney, Leigh, of Tyrrell, Lucas, Luke, Lyon, Marler, Matthews, McDonald, McGuire, McIntosh, McNair, Melson, Moore, of Chatham, Murrill, Niven, Nicks, Newsum, Palmer, Paschall, Russell, Smith, of Columbus, Smith, of Cumberland, Smith, of Hertford, Stilley, Scoggin, Thigpen, Thompson, Trull, Waugh, Whitley and Yellowley.

So the bill passed first reading.

On motion of Mr. McNair, the rules were suspended, and the bill put on its second reading.

Mr. McAden moved to amend the bill, by substituting a scale of depreciation of Confederate currency, reported by Mr. Caldwell, from a minority of "the committee to prepare a scale of depreciation of the Confederate Treasury Notes during the late war."

The scale proposed to be substituted being as follows:

Months.		1861.	1862.	1863.	1864.	1865.
January	1st,	—	$1.10	$1.85	$ 17.00	$ 50.00
"	15th,	—	1.12	2.35	18.00	55.00
February,	1st,	—	1.15	2.75	19.00	60.00
"	15th,	—	1.17	3.25	20.00	60.00
March	1st,	—	1.18	3.60	21.00	65.00
"	15th,	—	1.20	4.00	21.50	80.00
April	1st,	—	1.22	4.50	21.00	90.00
"	15th,	—	1.24	5.00	20.00	100.00
May	1st,	—	1.25	5.35	19.00	—
"	15th,	—	1.25	5.50	18.00	—
June	1st,	—	1.25	6.00	18.00	—
"	15th,	—	1.25	6.50	19.00	—
July	1st,	—	1.25	7.00	20.00	—
"	15th,	—	1.25	7.75	21.00	—
August,	1st,	—	1.25	8.75	22.00	—
"	15th,	—	1.30	9.75	22.00	—
September,	1st,	—	1.35	10.50	22.00	—
"	15th,	—	1.35	11.25	24.00	—
October	1st,	$1.01	1.40	12.00	25.00	—
"	15th,	1.02	1.45	12.75	26.00	—
November	1st,	1.03	1.50	13.75	27.00	—
"	15th,	1.04	1.55	14.75	33.00	—
December	1st,	1.05	1.60	15.75	40.00	—
"	15th,	1.07	1.70	16.75	50.00	—

This amendment did not prevail,—yeas 38, nays 53—the yeas and nays having been ordered, on motion of Mr. Niven.

Those who voted in the affirmative, are:

Messrs. Allison, Ashworth, Beasley, Blackmer, Blair, Blythe, Bryson, Burton, Caldwell, Campbell, Candler, Coates, Craig, Ferrell, Flythe, Garland, Gidney, Harper, Hilliard, Holderby, Houston, Jenkins, of Gaston, Jenkins, of Warren, Jones, McAden, McEachern, McIntosh, Moore, of Alamance, Newsum, Palmer, Potter, Rosebro, Russell, Smith, of Columbus, Smith, of Guilford, Teague, Wheeler and Wilson.

Those who voted in the negative, are:

Messrs, Arrington, Baxter, Bonner, Carson, Chadwick, Cox,

Dalby, Davis, of Halifax, Dickey, Dunn, Everett, Faircloth, of Greene, Faircloth, of Wayne, Foster, Furr, Gaines, Harrington, Harrison, Henry, Hodnett, Holmes, Horton, Hutchison, Hyman, Jenkins, of Granville, Joyner, Judkins, Kenan, Kinney, Leigh, of Tyrrell, Lucas, Luke, Lyon, Manly, McDonald, McGuire, McNair, Melson, Moore, of Chatham, Murrill, Niven, Nicks, Paschall, Smith, of Cumberland, Smith, of Hertford, Scoggin, Thigpen, Thompson, Trull, Waugh, Webb, Whitley and Yellowley.

Mr. Hutchison offered the following amendment:

"*Be it further enacted*, That the provisions of this act shall apply only to contracts where the consideration was Confederate currency." Not agreed to.

Mr. Blythe offered the following amendment:

"*Be it further enacted*, That this act shall not be considered as binding on parties, but is intended as a recommendation to settle disputes between parties." Not agreed to.

The question recurring, the bill passed its second reading, and was read a third time.

Mr. Smith, of Hertford, offered the following amendments, which were adopted, viz:

(1.) Strike out all of the first section down to, and inclusive of, the words "measure of value," and insert, in lieu thereof, as follows:

"WHEREAS, By an Ordinance of the Convention entitled, "An ordinance declaring what laws and ordinances are in force, and for other purposes," ratified on the 18th day of October, A. D., 1865, it is made the duty of the General Assembly to provide a scale of depreciation of Confederate currency from the time of its first issue to the end of the war; and it is further therein declared, that "all executory contracts, solvable in money, whether under seal or not, made after the depreciation of said currency, before the first day of May, 1865, and yet unfilled, (except official bonds and penal bonds payable to the State,) shall be deemed to have been

made with the understanding that they were solvable in money of the value of said currency," subject, nevertheless, to evidence of a different intent of the parties to the contract; therefore,

Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the following scale of depreciation be and the same is hereby adopted and established as the measure of value of one gold dollar in Confederate currency for each month, and the fractional parts of the month of December, 1864, from the 1st day of November, 1861, to the 1st day of May, 1865, to wit:

Scale of depreciation of Confederate currency, the gold dollar being the unit and measure of value from November 1st, 1861, to May 1st, 1865."

(2.) Strike out all after the schedule down to, and including the words "and pleads to issue," immediately before the words "and whereas," so as to retain the section beginning with the last recited words.

(3.) Strike out the last section of the bill beginning with the words "*Be it further enacted, that the scale of depreciation.*"

Mr. Russell moved that the bill be laid on the table.. Not agreed to.

The bill then passed third reading, as amended, and was ordered to be enrolled,—yeas 66, nays 25.

Those who voted in the affirmative are:

Messrs. Arrington, Ashworth, Barnett, Baxter, Black, Blair, Bonner, Bryson, Cameron, Campbell, Candler, Carson, Chadwick, Coates, Cox, Craig, Dalby, Davis, of Carteret, Davis, of Halifax, Dickey, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Farrow, Flythe, Foster, Furr, Harper, Harrington, Harrison, Henry, Hodnett, Holmes, Horton, Hyman, Jenkins, of Granville, Jones, Joyner, Judkins, Kenan, Kinney, Leigh, of Tyrrell, Lucas, Luke, Lyon, Manly, McDonald, McEachern, McGuire, McIntosh, McNair, Moore, of Chatham, Murrill, Niven, Nicks, Newsum, Palmer, Paschall, Smith, of Columbus,

Smith, of Cumberland, Scoggin, Thompson, Trull, W augh Whitley and Yellowley.

Those who voted in the negative are:

Messrs. Beasley, Blackmer, Blythe, Burton, Caldwell, Garland, Gidney, Hilliard, Holderby, Houston, Hutchison, Jenkins, of Gaston, Jenkins, of Warren, McAden, Melson, Moore, of Alamance Moore, of Martin, Rosebro', Russell, Smith, of Guilford, Teague, Thigpen, Webb, Wheeler and Wilson.

On motion of Mr. Smith, of Hertford, the motion he had entered on yesterday, to reconsider "a resolution making an appropriation to repair the Governor's Mansion," was taken up.

On motion of Mr. Waugh, the motion to reconsider was laid on the table.

Received a message from the Senate, transmitting "a resolution authorizing the signature of the Public Treasurer to be engraved on the coupons of the State," and "a resolution to provide for a possible deficiency in the Treasury," asking concurrence.

The first of these passed its several readings, under a suspension of the rules; the latter was laid on the table, on motion of Mr. Thompson.

Mr. Faircloth, of Wayne, called up a motion, entered by himself on yesterday, to reconsider bills for the relief of sundry sheriffs.

On motion of Mr. Waugh, the motion to reconsider was laid on the table.

Mr. Smith, of Hertford, from the Committee of Conference on the Senate bill to regulate the terms of the Supreme Court, submitted a report, recommending that the House recede from its amendments to said bill. Report concurred in.

Mr. Ashworth (by leave) introduced "a bill to abolish the office of Superintendent of Common Schools."

Mr. Jenkins, of Warren, moved that it be referred to the Committee on Education. Not agreed to.

Mr. McDonald moved that the rules be suspended and the bill put on its second and third readings.

On this question the yeas and nays were ordered, on motion of Mr. Jenkins, of Warren, and

The House refused to suspend,—yeas 54, nays 30.

Those who voted in the affirmative are:

Messrs. Arrington, Ashworth, Barnett, Black, Blair, Blythe, Bryson, Campbell, Candler, Carson, Coates, Dalby, Dickey, Dunn, Faircloth, of Greene, Farrow, Flythe, Furr, Garland, Harrington, Harrison, Henry, Hodnett, Holmes, Horton, Jenkins, of Gaston, Jones, Kinney, Leigh, of Tyrrell, Lyon, Marler, McAden, McDonald, McEachern, McGuire, McIntosh, Melson, Moore, of Alamance, Moore, of Chatham, Murrill, Nicks, Palmer, Paschall, Potter, Rosebro, Russell, Smith, of Columbus, Scoggin, Teague, Thompson, Trull, Waugh, Whitley, and Yellowley.

Those who voted in the negative are:

Messrs. Allison, Beasley, Blackmer, Bonner, Burton, Caldwell, Chadwick, Craig, Davis, of Carteret, Everett, Gidney, Hilliard, Holderby, Houston, Hyman, Jenkins, of Granville, Jenkins, of Warren, Kenan, Lucas, Luke, Manly, McNair, Niven, Newsum, Smith, of Cumberland, Smith, of Guilford, Smith, of Hertford, Thigpen, Webb and Wilson.

Received a message from the Senate, transmitting the following bills, with amendments, in which they asked concurrence, viz:

H. bill, 235, for collecting Revenue.

H. bill, 200, to be entitled "Revenue."

H. bill, 236, to extend the time for collecting taxes under the Revenue ordinance of the Convention.

H. R. 48, making an appropriation for the Insane Asylum, with a substitute.

H. R. 19, to prevent the discontinuance of causes in certain cases, with a substitute.

The House concurred in the Senate amendments to bills 235, 200 and 236; and refused to concur in the amendment proposed as a substitute for House resolution 19.

For House resolution 48, the Senate proposed to substitute a bill to be entitled "an act to secure a better government for the Insane Asylum."

The question being on concurrence in this amendment,

Mr. Jenkins, of Warren, moved to amend by adding to the substitute the following section, viz:

"*Be it further enacted*, That no free person of color shall be admitted as a patient in the Asylum."

Adopted.

The substitute, as amended, was then adopted.

Received a message from the Senate, transmitting "a bill for establishing a College for the education of Teachers and Ministers of the Gospel of the colored race," asking concurrence.

Mr. Jenkins, of Warren, moved that it be referred to the Committee on Corporations. Not agreed to.

Mr. Caldwell moved that the rules be suspended, and the bill put on its second and third readings.

Mr. Jenkins, of Warren, moved that the House adjourn. Not agreed to

The question recurring on the motion to suspend the rules, it was not agreed to.

Bill to amend the charter of the town of Newton passed second and third readings, under a suspension of the rules, and was ordered to be engrossed.

Mr. Blackmer (by leave,) introduced "a bill for the relief of Sheriffs and for other purposes." Filed.

A bill to allow persons of Indian blood to bear testimony in controversies at law and in equity, was laid on the table, on its second reading, on motion of Mr. Manly.

A bill for the relief of the people of the several counties of the State, being put on its third reading,

The same was amended, by the addition of the following proviso, on motion of Mr. Jenkins, of Granville:

"*Provided*, That nothing herein contained shall apply to debts or obligations created or incurred, directly or indirectly, in aid of the late rebellion."

The question recurring on the passage of the bill, as amended, it was laid on the table, on motion of Mr. McAden.

A bill to authorize the corporate authorities of the town of Wadesboro' to tax retailers of spirituous liquors, passed third reading, and was ordered to be engrossed.

On motion of Mr. Manly, resolutions in favor of a General Amnesty were taken up.

Mr. Scoggin moved that they be laid on the table, and, on his motion, the yeas and nays were ordered. The House refused to lay on the table as follows,—yeas 21, nays 48.

Those who voted in the affirmative are:

Messrs. Ashworth, Beasley, Blair, Blythe, Carson, Coates, Dickey, Faircloth, of Greene, Garland, Horton, Houston, Jenkins, of Gaston, Jones, Kinney, McDonald, McGuire, Melson, Nicks, Palmer, Potter and Scoggin.

Those who voted in the negative are:

Messrs. Allison, Baxter, Blackmer, Bonner, Bryson, Caldwell, Candler, Chadwick, Cowan, Cox, Craig, Dalby, Davis, of Carteret, Dunn, Everett, Faircloth, of Wayne, Flythe, Gaines, Gidney, Harper, Hilliard, Holmes, Hutchison, Hyman, Joyner, Judkins, Kenan, Lucas, Luke, Manly, Marler, McAden, McIntosh, McNair, Moore, of Martin, Murrill, Newsum, Rosebro', Russell, Smith, of Columbus, Smith, of Guilford, Smith, of Hertford, Thigpen, Waugh, Wheeler, Whitley, Wilson and Yellowley.

On motion of Mr. Waugh, the resolutions were made the special order for the hour of eleven to-morrow.

On motion of Mr. Smith of Hertford, the House took a recess until 7½ o'clock, P. M.

7½ O'clock, P. M.

On motion of Mr. Jones, a resolution in favor of Catherine Kendall was taken from the table. Passed second and third readings, under suspension of the rules. Engrossed.

Received messages from the Senate, announcing concurrence in House amendments to "a bill to establish a scale of depreciation of Confederate currency;" and in House amendments to Senate resolution in favor of certain disabled soldiers; also a message announcing that the Senate recedes from its amendment to a bill to prevent discontinuance of causes.

Mr. Dunn introduced a resolution in favor of the Engrossing Clerks.

Mr. Murrill moved that it be laid on the table. Not agreed to.

Mr. Niven moved to amend by inserting the words "at his own expense, after the word "clerk."

Mr. McAden moved to lay the resolution on the table; which motion prevailed.

Received a message from the Senate, transmitting "a bill to abolish the office of Superintendent of Public Schools, Treasurer of Literary Fund, and for other purposes," asking concurrence.

On motion of Mr. McAden, the rules were suspended, and the bill passed second reading, and, being put on its third reading,

Mr. Hutchison offered the following amendment; which did not prevail:

"*Be it further enacted*, That the sum of $50,000 be, and the same is hereby appropriated out of any moneys in the Treasury not otherwise appropriated, to be distributed among the different counties in this State for the support of Common Schools."

The bill then passed third reading,—yeas 62, nays 15; the yeas and nays being demanded by Mr. Caldwell.

Those who voted in the affirmative, are:

Messrs. Ashworth, Blair, Blythe, Bonner, Bryson, Candler, Carson, Chadwick, Coates, Dalby, Davis, of Carteret, Dickey, Dunn, Everett, Faircloth, of Greene, Faircloth, of Wayne, Farrow, Faison, Flythe, Furr, Garland, Gidney, Harper, Harrison, Harrington, Henry, Hilliard, Hodnett, Holmes, Jenkins, of Gaston, Jones, Joyner, Kinney, Leigh, of Tyrrell, Lucas, Luke, Lyon, Manly, Marler, McAden, McDonald, McGuire, Melson, Moore, of Chatham, Moore, of Martin, Murrill, Niven, Nicks, Newsum, Paschall, Potter, Russell, Smith, of Columbus, Smith, of Hertford, Scoggin, Teague, Thigpen, Thompson, Trull, Waugh, Whitley and Yellowley.

Those who voted in the negative are:

Messrs. Blackmer, Burton, Caldwell, Cox, Foster, Holderby, Houston, Hutchison, Jenkins, of Granville, Jenkins, of Warren, Judkins, McIntosh, McNair, Smith, of Guilford, and Wilson.

Received a message from the Senate, transmitting "A bill to establish the rate of interest and to repeal chap. 114, Revised Code;" asking concurrence. Being read,

Mr. Moore, of Martin, moved a suspension of the rules. Not agreed to.

Mr. Hutchison, from the Committee on the subject, submitted the following report:

The Joint Select Committee, to whom was referred "the correspondence and papers of Cyrus P. Mendenhall and others" in relation to the cotton belonging to the State, have carefully examined and considered the same, and ask leave to make the following report:

That the imperfect state of the evidence contained in the papers, the gravity and importance of the subject, and the brief time allowed for investigation, induce them to recommend the adoption of the accompanying resolution, and to

ask to be discharged from the further consideration of the matter.

Respectfully submitted.

J. M. HUTCHISON, *Chm'n.*

"*Resolved*, The Senate concurring, that the correspondence and papers in relation to the cotton belonging to the State be deposited with the Public Treasurer, and that he be, and he is hereby, required to prosecute the investigation, to the end that the interests of the State may be subserved."

Adopted.

A message was sent to the Senate, recommending additional names for appointment as magistrates for Craven and Caldwell counties.

Mr. Dickey introduced a resolution in favor of the door-keepers.

Mr. Blackmer moved its reference to the Committee on Claims. Lost, no quorum voting.

Received a message from the Senate, concurring in House resolution in regard to cotton transaction, and also in recommendations of Justices of the Peace for Craven and Caldwell counties.

On motion of Mr. Smith, of Columbus, the House adjourned until 11 o'clock, A. M., to-morrow.

SATURDAY, March 10, 1866.

Received a message from the Senate, refusing concurrence in the House amendment to the resolution making appropriation to the Lunatic Asylum; whereupon the House receded from said amendment.

Received a message from the Senate, transmitting "a bill to extend the terms of office of certain county officers." The

bill passed its several readings, under a suspension of the rules, and was ordered to be enrolled.

At eleven o'clock, A. M., the House proceeded to consider the special order, viz: "Resolutions in favor of a general Amnesty."

Mr. Blythe moved to amend the 4th resolution of the series, by inserting the following proviso:

"*Provided*, That nothing herein contained shall be understood as applying to any of the leaders in the late rebellion."

Mr. Coates moved to amend by substituting the following:

WHEREAS, During the late rebellion, Union men were proscribed and held as disloyal, and regarded and treated as unworthy of any official position, civil or military;

Be it Resolved, That no man known as an original secessionist, or latter day war man, should hold any office, or place of trust or profit, under the government of North-Carolina, and the President is hereby requested to declare all such offices vacant, so that they may be filled by true and loyal men.

Mr. Lyon moved an indefinite postponement of the whole subject. The yeas and nays were ordered, on motion of Mr. Lyon, and the motion prevailed,—yeas 49, nays 32.

Those who voted in the affirmative are:

Messrs. Allison, Ashworth, Beasley, Blackmer, Blair, Blythe, Bryson, Burton, Caldwell, Candler, Carson, Coates, Craig, Dalby, Davis, of Carteret, Dickey, Faircloth, of Greene, Faircloth, of Wayne, Ferrell, Garland, Gidney, Harrison, Henry, Hodnett, Holderby, Holmes, Horton, Houston, Jenkins, of Gaston, Jenkins, of Granville, Jones, Kinney, Lyon, McDonald, McGuire, Melson, Nicks, Newsum, Palmer, Potter, Rosebro', Russell, Smith, of Guilford, Scoggin, Teague, Trull, Waugh, Webb and Yellowley.

Those who voted in the negative, are:

Messrs. Baxter, Black, Cameron, Chadwick, Cox, Dunn, Everett, Farrow, Foster, Gaines, Harrington, Hutchison, Hyman, Jenkins, of Warren, Joyner, Judkins, Kenan, Luke, Manly,

Marler, McAden, McIntosh, McNair, Moore, of Martin, Murrill, Niven, Page, Smith, of Columbus, Smith, of Hertford, Thigpen, Whitley and Wilson.

Received a message from the Senate, concurring in House amendments to the bill to charter the City of Raleigh; and transmitting a resolution in favor of the Doorkeepers, in which it asked the concurrence of the House.

The resolution having been read, was laid on the table, on motion of Mr. Waugh.

Received a message from the Senate, asking concurrence in certain amendments to the bill to prohibit the sale of spirituous liquors in the town of Salem, and recommending additional Justices of the Peace for Yancey county. The House concurred.

Received a message from the Senate, transmitting a substitute for the House bill, entitled "a bill to enable the Banks of the State to close their business;" in which the House concurred.

Received a message from the Senate, asking concurrence in the appointment of sundry Justices of the Peace for the county of Yadkin.

Mr. Nicks moved that the question of concurrence be indefinitely postponed. Not agreed to

The House concurred in the appointment.

Additional nominations of magistrates for the counties of Martin, Currituck, Rowan and Anson, were submitted, approved and sent to the Senate.

Mr. Wilson (by leave,) introduced a resolution of thanks to Rev. C. H. Wiley, which was unanimously adopted.

A bill to legalize the official acts of sheriffs passed second and third readings, under a suspension of the rules.

A bill to establish a college for the education of Teachers and Ministers of the Gospel of the colored race passed its second reading,—yeas 41, nays 28; the yeas and nays being demanded by Mr. Jenkins, of Warren.

Those who voted in the affirmative are:

Messrs. Allison, Ashworth, Beasley, Blackmer, Blair, Blythe, Bryson, Burton, Caldwell, Candler, Carson, Craig, Davis, of Carteret, Dickey, Faircloth, of Greene, Faircloth, of Wayne, Furr, Garland, Harper, Hodnett, Holderby, Horton, Houston, Hutchison, Jenkins, of Granville, Jones, Kinney, McDonald, McIntosh, Nicks, Newsum, Page, Palmer, Potter, Rosebro', Russell, Smith, of Columbus, Smith, of Guilford, Smith, of Hertford, Wheeler and Wilson.

Those who voted in the negative are:

Messrs. Black, Cameron, Chadwick, Cox, Foster, Gaines, Gidney, Harrington, Henry, Hyman, Jenkins, of Gaston, Jenkins, of Warren, Joyner, Judkins, Kenan, Leigh, of Tyrrell, Luke, Manly, Marler, McAden, Moore, of Martin, Murrill, Niven, Scoggin, Trull, Waugh, Webb and Whitley.

Mr. Blackmer moved that the rules be suspended, and the bill put on its third reading; which prevailed,—yeas 44, nays 34; the yeas and nays being demanded by Mr. Jenkins, of Warren.

Those who voted in the affirmative are:

Messrs. Allison, Baxter, Beasley, Black, Blackmer, Blythe, Bryson, Cameron, Candler, Carson, Chadwick, Cox, Davis, of Carteret, Dickey, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Foster, Garland, Gidney, Harrison, Hutchison, Hyman, Jenkins, of Gaston, Jenkins, of Warren, Joyner, Judkins, Kenan, Luke, Manly, Marler, McAden, McIntosh, Moore, of Martin, Newsum, Page, Rosebro', Russell, Smith, of Columbus, Thigpen, Webb, Whitley, Wilson and Yellowley.

Those who voted in the negative are:

Messrs. Ashworth, Blair, Burton, Caldwell, Dalby, Everett, Furr, Gaines, Harrington, Henry, Hodnett, Holderby, Holmes, Horton, Houston, Jenkins, of Granville, Jones, Kinney, Leigh, of Tyrrell, Lyon, McDonald, McGuire, Melson, Murrill, Niven, Nicks, Palmer, Potter, Smith, of Guilford, Smith, of Hertford, Scoggin, Teague, Trull and Waugh.

A bill to establish the rate of interest, and repeal Chapter 114, Revised Code, passed second reading; and the rules being suspended, passed its third reading,—yeas 50, nays 24; the yeas and nays being demanded by Mr. Burton.

Those who voted in the affirmative are:

Messrs. Allison, Ashworth, Beasley, Blackmer, Blair, Blythe, Bryson, Burton, Caldwell, Candler, Carson, Craig, Davis of Carteret, Dickey, Dunn, Faircloth, of Greene, Faircloth, of Wayne, Furr, Garland, Harper, Harrison, Hilliard, Hodnett, Holderby, Holmes, Houston, Hutchison, Jenkins, of Granville, Jones, Kinney, Lyon, McAden, McDonald, McGuire, McIntosh, Murrill, Nicks, Newsum, Page, Palmer, Potter, Rosebro', Russell, Smith, of Columbus, Smith, of Guilford, Teague, Trull, Wheeler, Wilson and Yellowley.

Those who voted in the negative are:

Messrs. Cameron, Chadwick, Foster, Gaines, Gidney, Harrington, Henry, Horton, Hyman, Jenkins, of Gaston, Jenkins, of Warren, Joyner, Judkins, Kenan, Leigh, of Tyrrell, Manly, Melson, Moore, of Martin, Niven, Scoggin, Thigpen, Waugh, Webb and Whitley.

Received a message from the Senate, transmitting a resolution in favor of Wm. Thompson, of Wake county, asking concurrence. Passed its several readings, under a suspension of the rules, and ordered to be enrolled.

Received a message from the Senate, asking concurrence in an amendment to House bill to legalize the official acts of sheriffs. The House concurred.

Received a message from the Senate, transmitting an engrossed resolution in favor of C. Kuester and Brother, with an amendment, reported as a substitute therefor by the Committee on Claims, and adopted by the Senate.

The resolution and substitute were referred, on motion of Mr. Waugh, to the Committee on Claims.

On motion of Mr. Blair, the House took a recess until 4 o'clock, P. M.

4 *o'clock, P. M.*

Recommendations for the appointment of additional magistrates for the counties of Columbus and Brunswick were submitted, approved and sent to the Senate for concurrence.

Mr. Jenkins, of Warren, introduced the following resolution, which was unanimously adopted.

Resolved, That the thanks of the House are hereby tendered to the Hon. Samuel F. Phillips, Speaker of the House of Commons, for the able, impartial and dignified manner in which he has discharged the arduous and responsible duties of his office during the sessions of this General Assembly.

The Speaker, resuming the chair, briefly addressed the House in acknowledgment of the compliment conferred.

Received a message from the Senate, transmitting a resolution in regard to the report of Dr. Curtis, asking concurrence.

The resolution passed first reading. Mr. Smith, of Hertford, moved that the rules be suspended and the resolution be put on its second and third readings. Not agreed to.

Received a message from the Senate, transmitting a bill for the better protection of the mining and manufacturing interest of the State, asking concurrence.

The bill passed its several readings, under a suspension of the rules.

Mr. Wheeler, from the Committee on Claims, reported, recommending that the House concur in Senate substitute for the resolution in favor of Chas. Kuester and Brother.

Mr. Waugh moved that the bill and substitute be laid on the table. Not agreed to.

The House concurred in the report, and adopted the Senate substitute.

Received a message from the Senate, transmitting a bill concerning the Dismal Swamp Canal Company, asking concurrence.

The bill passed first reading.

Mr. Wilson introduced the following resolution, which was unanimously adopted.

Resolved, That the ministers of the Gospel of this city are hereby tendered the thanks of this General Assembly for their services at the opening of its daily sessions.

On motion of Mr. Gaines, the House adjourned until 6 o'clock, A. M., on Monday next.

MONDAY, March 12, 1866.

The House met at 6 o'clock, A. M.

The Speaker appointed Messrs. Wilson, Gidney and Houston as the House branch of the Committee on Enrolments.

Sundry enrolled bills and resolutions were reported for ratification, and signed by the Speaker.

On motion of Mr. Wilson, a message was sent to the Senate, proposing that the two Houses execute the joint order for adjournment.

Received from the Senate the following message:

"The Senate is prepared to execute the joint order in regard to adjournment, and will adjourn upon the return of the messenger."

The Speaker then, at 7 o'clock, A. M., declared the House of Commons adjourned *sine die*.

S. F. PHILLIPS, *Speaker*.

By order:

Seaton Gales, *Clerk*.

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