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NO. 1.

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NORTH CAROLINA LEGISLATURE.

(PRINTED EXPRESSLY FOR THE DAILY JOURNAL.)

SENATE.

THURSDAY, Feb. 1.

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

Prayer by Rev. Dr. Mason of the Episcopal Church.

The journal of yesterday was read and approved.

Mr. McLean presented a memorial from the State, on account of rosin being taken by State agents from the memorialists, which was referred to the committee on Propositions and Grievances.

On motion of Mr. Gash, the vote to amend the charter of the town of Fayetteville was reconsidered, and on motion of Mr. Jones, the rules were suspended and the bill was put on its third reading.

The question ensuing on the passage of the bill, the yeas and nays were called, and the bill was rejected by yeas 23, yeas 13.

A message from the House proposing to go forthwith into the election of two additional Trustees of the University of North Carolina. Not agreed to.

Mr. Wiggins, from the Committee on Finance, to whom was referred the communication from the State Treasurer, asking for the right to issue certificates, with an allowance of coin from the Clerk, reported back the same, and asked to be discharged from its further consideration.

Mr. Morehead, from the Committee on the Judiciary, to whom was referred the bill for the relief of landholders, reported back the same with a recommendation that it do pass.

Mr. Harris of Rutherford, from the Committee on Privileges and Elections, to whom was referred that part of the Governor's message referring to privileges in elections, reported back the same, and asked to be discharged from its further consideration.

Mr. Bynum introduced the minority report from the joint select committee, relative to the status of the present session of the General Assembly, which was ordered to be printed, and made a special order for to-morrow at 12 o'clock.

Mr. Howard, from the Judiciary Committee, to whom was referred the bill to amend the act relating to the distillation of spirituous liquors from grain, reported that he had considered the same, and recommended the following amendments, in sec. 1 and 6 strike out 15th day of February, and insert 1st day of March. In sec. 1st, strike out all after "fined," and insert "imprisoned, or both, at the discretion of the court." Strike out sec. 4th, and recommend that it do pass.

Mr. Leach, from the Committee to whom was referred the bill relating to the collection of taxes on distillation of spirituous liquors, reported back the same, and asked to be discharged from its further consideration.

Mr. Arendell offered a resolution, requesting that a message be sent to the House, proposing to raise a joint select committee of three on the part of the Senate, and four on the part of the House, whose duty it shall be to prepare and report a bill to consolidate the N. C. Railroad and the Atlantic Railroad, should they deem such consolidation advantageous to the State.

Mr. Gash introduced a resolution to furnish each County Court Clerk with a copy of the Revised Code, (those that have not been heretofore furnished, also those who have had them destroyed by fire,) and on his motion the rules were suspended, and the resolution was adopted with an amendment including all the acts of the General Assembly since the publication of the Revised Code.

Mr. McKay introduced a bill to amend the act of incorporation of the town of Clatsop, in Simpson county. [The bill provides for the taxation of certificates granted to dealers in spirituous liquors.] Passed its first reading.

A message from the House transmitting a message from the Governor, which was referred to the committee on Finance.

Also, a message transmitting three additional names for the appointment of Magistrates of Edgecombe county, which was concurred in.

Also, a bill authorizing certain proceedings against the Cape Fear Navigation Company, which was read first time and referred to the committee on the Judiciary.

Mr. Cowles, from the committee on Claims, to whom was referred the resolution in behalf of Mr. Drury King, reported back the same with a recommendation that it do pass, and on motion of Mr. Jones, the rules were suspended, and it passed its first reading.

The bill making provisions for the payment of interest on State bonds, now due, came up, and on motion, was laid on the table, and made the special order for Saturday at 12 o'clock.

On motion of Mr. Larnier, the rules were suspended, and on motion of Mr. Jones, a resolution appropriating one hundred dollars for the improvement of the Capitol Square, was taken up and passed its several readings.

Mr. Leitch offered a resolution instructing the Judiciary committee to consider the provisions of an act concerning the limitation of limitations ratified by the Legislature in 1853, 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.

Mr. Gash introduced a bill to prevent persons carrying pistols without a license, which was referred to the committee on Finance.

The Senate bill authorizing coupons to be taken in payment for State taxes came up on its second reading, and, on motion of Mr. Berry, was laid on the table.

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

HOUSE OF COMMONS.

THURSDAY, Feb. 1st, 1866.

The House was called to order at 10 o'clock A. M.

Prayer by Rev. Dr. Mason of the Protestant Episcopal Church.

The resolution authorizing the Governor to appoint commissioners to investigate the affairs of the Albemarle and Chesapeake Canal Company, passed its several readings under a suspension of the rules.

Mr. Moore of Clatsop, introduced the following resolution:

Resolved, That this Legislature appoint a special committee to confer with the Governor, and the Gov. with the President, and the President with Congress, informing that body that North Carolina has been abandoned at her hands, and she is not admitted yet, and if there is yet more demanded of us for our restoration, to let us know what it is.

Referred, on motion of Mr. Russell, to the committee on Federal Relations.

An engrossed bill to incorporate Salem Female Academy, passed its second and third readings under a suspension of the rules.

A 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. The committee on the Judiciary had reported adversely to the passage of the bill. After some discussion, in which Messrs. Caldwell, Blythe and Crawford urged the adoption of a similar measure, and Mr. Smith of Hertford, supported the views of the committee, the bill was referred, on motion of Mr. Caldwell, to a select committee.

A resolution appropriating \$44,417 00 for the support of the Asylum for the Insane, passed its second and third readings under a suspension of the rules.

On motion of Mr. Holderby, a message was sent to the Senate proposing that the two Houses proceed forthwith to the election of two Trustees for the University.

Mr. McDonald, (by leave,) introduced a bill to extend the time for the redemption of lands

sold for taxes. Referred to the committee on Finance.

A bill to provide for the payment of the Federal land tax, for the year 1861, was laid on the table, on second reading, under an adverse report from the committee on Finance.

Mr. Manly, (by leave,) introduced a bill concerning Attorneys at Law. Referred to the committee on Federal Relations. [Authorizes the Clerks of the Supreme Courts to issue Attorney's Licenses to Attorneys at Law from other States, on evidence affidavit that they are regularly licensed to practice law in the higher courts of their respective States, and that they are of good moral character.]

A message was received from the Senate refusing to concur in the proposition to elect forthwith two Trustees of the University.

A bill to incorporate the English and American Wool and Vine growing, Manufacturing, Mining and Agricultural Association in the United States of America, was ordered to be printed and postponed until 11 o'clock to-morrow.

A bill to protect the culture of the grape and other fruits, was amended on its 2d reading by making the sealing of watered-down a larceny, at the instance of Mr. Teague. The bill as amended passed its 2d reading.

A bill to amend the charter of the Mason County Turnpike, passed 2d and 3d readings under a suspension of the rules.

SPECIAL ORDER.

At noon, the House, pursuant to order, resolved itself into Committee of the Whole. Mr. Rayner in the Chair, and proceeded with the consideration of the bill concerning Negroes, Indians and persons of color, or of mixed blood.

The question recurring on the motion of Mr. McNair to strike out the 11th section, Mr. Jenkins of Warren, addressed the committee in support of the motion.

Mr. Jones took the position that this was a white man's government, and characterized as erroneous the intimation thrown out in the report of the Committee, that the Supreme Court of this State had decided that free negroes are citizens. He undertook to say that no such decision had ever been made.

Mr. P. Russell replied at length. At the close of his remarks, on motion of Mr. Hoke, the Committee rose, reported progress, and obtained leave to sit again at noon to-morrow.

A message was received from His Excellency the Governor, transmitting a memorial from the Trustees of the University, which was sent to the Senate, with a proposition to print and refer to the Committee on Finance.

The House then adjourned until 10 o'clock to-morrow.

SENATE.

FRIDAY, Feb. 2d, 1866.

Prayer by the Rev. A. Smedes, D. D., of the Episcopal Church.

Messages from pending committees were submitted and received as follows:

PENITENTIARY.

By Mr. Winstead from the committee on Propositions and Grievances, a bill to establish a Penitentiary and Work Houses, with a recommendation that it do not pass.

TAX ON PISTOLS.

By Mr. Bynum from the committee on Finance, a bill to prevent the carrying of Pistols in this State without license, asking to be discharged from its consideration.

By Mr. Leach, from the committee on Finance, a bill to amend the act relating to the taxation of certificates granted to dealers in spirituous liquors. Passed its first reading.

By Mr. Howard, from the committee on Finance, a bill to amend the act relating to the taxation of certificates granted to dealers in spirituous liquors. Passed its first reading.

By Mr. Leach, from the committee on Finance, a bill to amend the act relating to the taxation of certificates granted to dealers in spirituous liquors. Passed its first reading.

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an amendment to the first resolution of Mr. Howard, inserting after the word "declared" the words "and was so intended." The resolutions are as follows:

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, remains null and void, and was so intended to be on the occasion 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 a 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.

NORTH CAROLINA AND ATLANTIC RAILROADS.

The House refused to raise a joint select committee to inquire into the necessity of uniting the North Carolina and the Atlantic and North Carolina Railroads, but proposed to refer the subject to the joint select committee on Railroads.

Mr. Arendell moved to lay the matter on the table, and gave notice that he would at an early day introduce a bill to consolidate these two Railroads.

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

HOUSE OF COMMONS.

FRIDAY, Feb. 2, 1866.

The House was called to order at 10 o'clock A. M.

Prayer by Rev. Aldert Smedes, D. D., of the Protestant Episcopal Church.

The Journal of yesterday was read and approved.

Mr. Parshall introduced the following resolution, which was adopted:

Resolved, That the committee on the Judiciary be instructed to inquire whether any and what relief can be provided by legislative action for guaranties and other securities of investments in the bonds and other securities of the Confederate States, and of this State, issued during the late war, and that they report by bill or otherwise.

Mr. Blythe introduced a bill to perpetuate liens upon real estate. Referred to the committee on the Judiciary.

ON CALENDAR.

A bill to incorporate the North Carolina Emigration company, passed second and third readings under a suspension of the rules.

A bill to enlarge the jurisdiction of Justices of the Peace, was laid on the table on second reading, under an adverse report from the committee on the Judiciary.

A bill to punish breaking into a house in the day time, was rejected on second reading.

A bill to amend the Chapter 114 of the Code [in relation to usury.] Laid on the table, there being another bill of like nature heretofore referred and ordered to be printed.

A bill to amend 30th section, 54th Chapter Revised Code, was laid on the table on second reading.

A bill to incorporate the "English and American Wool, and Vine-growing, Manufacturing, Mining and Agricultural Association of the United States of America," was put on its second reading.

Mr. Henry, of Bertie, moved that the bill be amended by providing that a majority of the directors of this corporation shall be resident citizens of North Carolina. Not agreed to, yeas 37, nays 41.

Mr. Henry, moved to amend by requiring the location of all the offices of this corporation, in the State of North Carolina. Not agreed to.

Mr. Wilson, nominated H. M. Wagh, Esq., recommending its passage. [This bill has been published in full.]

On motion of Mr. Wiggins, a message was sent to the House, proposing to go forthwith into an election for two Trustees of the University. The House subsequently concurred, and an unsuccessful ballot was had.

Mr. Howard moved that the vote by which the Senate, on yesterday, rejected the bill to authorize the Mayor and Commissioners of Fayetteville to issue certificates of indebtedness and appoint assessors of taxes, be reconsidered.

Mr. Howard stated that the friends of the bill had made this request of him, not with any intention of again pressing the objectionable section upon the Senate, but in order to strike out that section which authorizes the issuing of certificates of indebtedness, in order to pass the other sections to which there is probably no objection. The motion prevailed.

A message was received from the House transmitting a message from the Governor concerning the University, with a proposition to print and refer to the committee on Finance. The Senate concurred. [This interesting paper will be furnished for publication to-morrow.]

Bills and resolutions of the following titles were introduced and disposed of as follows:

SUPREME COURT AND TAX-PAYERS.

By Mr. Morehead: A bill giving original jurisdiction to the Supreme Court in certain cases. Referred to the Judiciary.