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WILMINGTON, N. C., THURSDAY MORNING, FEBRUARY 15, 1866.

NO. 2.

NORTH CAROLINA LEGISLATURE.

[REPORTED EXTRACTS FOR THE DAILY JOURNAL.]

SENATE.

Prayer by the Rev. Thompson Bird, of Iowa. M. Carter, Senator elect from the county of Beaufort, being the 12th Senatorial District, in place of W. J. Warren, resigned, presented his credentials and was duly qualified.

REPORTS OF COMMITTEES.

Reports from various committees were submitted. The bills reported on will be noticed as they are taken up.

STATE PRINTING.

Mr. Morehead introduced a resolution, which was adopted, proposing to raise a joint committee to inquire into the expediency of having a printer of the State printing and binding done at the Deaf, Dumb and Blind Asylum.

SUPPRESSION OF CRIME.

Mr. McKay introduced the following preamble and resolution: Whereas, the increase of crime in the country demands the most vigilant, 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 following committee be appointed to inquire into the expediency of so amending the law as to require that Grand Jurors shall be drawn, empaneled, and charged at one term, to serve at the next term of court, and that the said Grand Jurors shall be bound to take notice of all offenses committed which may come to their knowledge, the committee to report by bill or otherwise.

BOOKS AND PAPERS OF THE ADJUTANT GENERAL'S OFFICE.

On motion of Mr. Howard, a message was sent to the House proposing to raise a joint committee to take into consideration the propriety of removing the books and papers of the Adjutant General, and the Quartermaster and Commissary Generals, of North Carolina, from the room of the Secretary of State to that lately occupied by the State Geologist.

COUNCILOR OF STATE.

The Senate declined to go into an election for Councilor of State.

JUSTICES OF THE PEACE.

Additional Justices of the Peace for the counties of Halifax, Johnston, Duplin and Cherokee, were appointed.

LAWYERS.

Mr. Whitford introduced a bill to amend "an act for the relief of Landlords." Referred to the Judiciary. [Its provisions will be given hereafter.]

ENGROSSED BILLS.

Several important bills were received from the House, and were filed or properly referred.

INTEREST ON STATE BONDS.

The Senate resumed the consideration of Mr. Berry's bill to make provision for the payment of interest on State Bonds now due. The time until 12 o'clock was taken up in perfecting the bill by amendments, and pending the vote upon its passage on the second reading, the Speaker announced the hour for the special order, to wit:

DISTILLATION OF GRAIN.

Several amendments were offered as to the time at which it should go into operation, and rejected, but the time was fixed on an amendment of Mr. Williams, at the 10th March.

AMENDMENT OF THE JUDICIARY COMMITTEE.

making the punishment "to be fined or imprisoned, or both, at the discretion of the Court," was adopted.

ON MOTION OF MR. LATHAM, "POTATOES"

were added to the list of prohibited articles. Mr. Jones of Wake, moved to insert "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 ages of fifty years, to be counted as a half of a hand, and females above the ages of fourteen and under sixty, to be counted as half a hand."

TRUSTEES OF THE UNIVERSITY.

Pending the discussion, the Senate concurred in the proposition to go into an election for one Trustee of the University. The resolution was as follows: W. P. Bynum, 33, J. H. Hyman, 9, J. F. Hoke, 1. [The committee subsequently reported there was no election.]

HOUSE OF COMMONS.

Wednesday, Feb. 7, 1866.

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

HOUSE OF COMMONS.

The Journal of yesterday was read and approved.

MR. CAMPBELL, COMMONER ELECT FROM IRELAND

county, to fill the vacancy created by the resignation of L. Q. Sharpe, Esq., appeared and was qualified.

MR. HITCHCOCK INTRODUCED A 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. COWAN, A BILL TO INCORPORATE THE BLADEN

Land Company.

MR. MERRILL, A BILL TO INCORPORATE RICHMOND

Female Academy, in the county of Onslow. This bill passed its several readings under a suspension of the rules.

MR. CALDWELL, A BILL TO LEGALIZE THE TRANSFER

of registered bonds of this State to bearer.

MR. GAINES FROM THE COMMITTEE THAT SUPERINTENDING

the election, on yesterday, for two Trustees of the University, reported the election of Wm. A. Jenkins, Esq.

COUNCILOR OF STATE.

On motion of Mr. Waugh, a message was sent to the Senate, proposing to go forthwith into an election for a Councilor of State, to fill the vacancy created by the resignation of W. W. Lenoir, Esq.

The following nominations were made: By Mr. Waugh, John M. Cloud; by Mr. Houston, James T. Morehead, Jr.; by Mr. McIntosh, Robert F. Simonton; by Mr. Seaworth, Hon. G. W. Logan; by Mr. Moore, Alexander Giles McNamee; by Mr. Neair, N. A. McLean; by Mr. Nickles, Tyne Glenn; by Mr. Jenkins of Warren, Joseph Davis; by Mr. McDonald, Charles M. Steadman; by Mr. Marker, J. C. McDowell.

MR. FERRELL NAMED HON. ROBT. P. DICK.

Mr. Houston hoped that Mr. Dick's name would be withdrawn; Mr. Dick had been one of Gov. Holden's Council, and he did not think he would harmonize very well with Gov. Worth's Council.

MR. McCLEN, BY LEAVE, INTRODUCED "A BILL TO

amend the charter of the town of Graham."

STATE AGENT.

At 11 o'clock the House proceeded to consider the "bill to create a State Agent," on its second reading.

Mr. Russell opposed the bill.

Mr. Cammell majority of the Committee thought the creation of this office would be materially beneficial to the State.

Mr. Russell moved an indefinite postponement of the bill.

Mr. Waugh opposed the bill, and called attention to the fact that a resolution had passed the House of Representatives declaring that no claims from Southern States shall be considered for the present of the bill.

Mr. Henry of Bertie, urged the passage of the bill.

Mr. Waugh again addressed the House, opposing the measure as wholly unnecessary.

Mr. Cameron made a few remarks in the support of the bill.

The question recurring the bill was indefinitely postponed—yeas 67; nays 34.

A message was received from the senate proposing to raise a joint select committee to take into consideration the expediency of having the State printing and binding done at the Institution for the Deaf, Dumb and Blind. Concurred in.

A bill to authorize the banks of the State to subscribe for stock in the national banks was made the special order for 11 o'clock on Tuesday next.

A bill to allow persons of Indian blood to bear testimony in controversies at law, and in equity, was made the special order for Wednesday next at 12 o'clock M.

A bill further suspending the operation of the statute of limitation passed its second reading.

A bill to incorporate the English and American Wool and Vine-growing, Mining and Manufacturing company, passed its third reading.

A bill to incorporate the Trustees of the General Assembly of the Presbyterian church of the United States of America, was put on its third reading.

On motion of Mr. Hutchison, the bill was amended by striking out the words of "America." The bill thus amended passed.

A resolution in favor of A. W. Fraps, passed its several readings.

Mr. Marler (by leave) introduced a bill in favor of J. B. Spinhour, tax collector of Burke county.

THE UNIVERSITY.

Mr. Smith of Hertford, reported a resolution for the relief of the University. [Appropriates \$7,000 to that institution.]

Messrs. Smith of Hertford, Cameron, Manly and McKay were opposed to the resolution under a motion of the first named to suspend the rules.

Mr. Hodnett opposed a suspension of the rules, and thought the consideration of the resolution should be postponed for the present.

Mr. Everett opposed the resolution. He did not see that the University had any claims that individuals who had sustained losses by the war. It would beggar the State to extend relief in all cases.

Mr. Waugh moved to amend the resolution by appropriating the fund the sum of \$50,000 for the relief of the University.

Mr. Crawford moved to amend the amendment by making the appropriation for common schools \$200,000. The amendment to the amendment was rejected.

The resolution then passed its second reading as follows: The yeas and nays having been ordered on motion of Mr. York: yeas 62; nays 34.

The resolutions then passed their third readings. Leave of absence was granted to Messrs. Simmons and Flythe.

The committee by message refused to concur in the proposition to elect a Councilor of State.

On motion of Mr. Wilson, a message was sent to the Senate, proposing to elect forthwith a Trustee of the University. The Senate by message announced its concurrence, and the House having voted, adjourned until 10 o'clock A. M., to-morrow.

Report on Banks and Banking.

The Joint Select Committee, to whom so much of the Governor's Message as refers to Banks and Banking, and the Resolutions inquiring into the conditions of the Bank of the State were referred, beg leave to submit the following report:

If the report of the committee is to be taken as a fair and candid statement of the conditions of the State, as it now stands, the Legislature cannot legitimately interfere with their capital, or divert it to any other purposes than those authorized by their charters, until the outstanding obligations are discharged; for such a course would be to deprive the State of the services of its ablest citizens, and of the contributions of its most energetic and patriotic citizens. These institutions are largely in debt; debts contracted on the faith and credit of the coin, which their charter required them to keep in their vaults. Any legislation authorizing the transfer of the coin into another direction by the corporation, is, in the opinion of the committee, in spirit, if not in letter, a violation of a contract.

After carefully investigating the subject, the committee is of the opinion that all, or nearly all, of the corporations of the State have ceased as corporations, to exist as a legal consequence of the Revolution, and the complete conquest of the State. It is a well settled principle of international law (so well settled it is unnecessary to refer to authorities), that in a conquered country all laws and all rights of persons and property cease to exist, except such laws and rights as the conqueror chooses to decree. No one will deny that the South was conquered and surrendered without terms; no one can doubt that in the opinion of President Johnson, we were a conquered people, and that he, as commander-in-chief of the armies of the United States, had a right to decree such laws as to him seemed best. He refused to accept the terms offered by General Sherman to recognize North Carolina as a *de facto* government. He proceeded in a manner unknown to our laws, to appoint a Provisional Governor; without the forms of law, he deprived the people of the State of the three-fifths of their property, without "just compensation," he declares in his proclamation, not that a part of the civil laws were at an end, but that "all civil government was at an end in North Carolina." He provided for a call of a convention, not to ratify a new Constitution, but to ratify the one which he had himself imposed.

In obedience to the proclamation of the Governor, a Convention assembled, which Convention, by its acts, accepts and recognizes the fact that it was called by the authority of the President as a conqueror, and proceeded to act according to said terms, receiving messages and dispatches from the President controlling the action of the Convention in matters of vital importance to the people of the State, abolishing slavery, removing all civil officers, and declaring by ordinance, that "Whereas, doubts may arise from the late attempt of North Carolina to secede from the United States, whether any and what laws have been and now are in force, and what subjects shall be cognizable before them."

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