North Carolina Star.

VOLUME XLVI. RALEIGH, NORTH CAROLINA, WEDNESDAY MORNING, JANUARY 17, 1855. NUMBER 3

North-Carolina Star.

PUBLISHED WEEKLY BY

WILLIAM C. DOUB,

EDITOR AND PROPRIETOR.

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If paid strictly in advance, two dollars per annum; two dollars and fifty cents, if paid within six months; and three dollars at the end of the year.

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Legislature of North Carolina.

SENATE.

January 8th, 1855

Mr. Drake introduced a bill to amend the charter of the town of Nashville, which passed its first reading.

The special order, being the joint resolution to divide the State into eight judicial circuits, was taken up, and with its several amendments, ordered to be printed and made the special order for Thursday next at 11 o'clock.

The bill to incorporate the Howard's Gap Turnpike Company, passed its second reading.

Also, the bill for the better regulation of the poor in the county of Randolph.

Also, a resolution in favor of Thomas J. Judkins, passed its third reading.

Also, a resolution in favor of Darling Rushing, rejected by ayes 17, noes 19.

The bill to incorporate Washington Savings Institution in Beaufort county, passed its third reading.

The following bills were introduced and read first time:

By Mr. Cherry, a bill to repeal an act of the session of 1848-'49 chapter 143.

By Mr. Ashe a bill to incorporate the Anson Institute.

The special order, being the bill to amend the constitution of the State, (free suffrage) was taken up on its second reading.

Mr. Haughton moved to amend the first section by providing that no foreigner shall vote for members of the Senate or the House of Commons, unless he had been naturalized according to the laws of the United States, and shall have paid public taxes, which was adopted by ayes 26, noes 22.

Mr. Biggs offered the following as a substitute for the first section: "Every citizen of the State who is entitled to vote for members of the House of Commons shall also be entitled to vote for a member of the Senate for the District in which he resides."

Mr. Ashe asked for a division of the question.

Mr. Graves moved to amend the amendment of Mr. Biggs, by striking out all of the amendment, and inserting in the first section, after the words 21 years, "being a citizen of the United States."

Mr. Gilmer moved to adjourn, which was lost, ayes 4, noes 44.

The amendments were withdrawn.

Mr. Gilmer offered the amendment presented by him on the first reading of the bill, which was rejected.—Ayes 11, noes 37.

The bill then passed its second reading by ayes 36, noes 14.

The bill was then made the order of the day for Wednesday 12 o'clock.

The Senate then adjourned.

HOUSE OF COMMONS.

After reading the Journal of Saturday,

The Speaker announced Messrs. Phillips, Yancy, A. H. Caldwell, Myers and Selby as committee on enrolled bills for the week.

Mr. Shipp presented a memorial against the establishment of a new county from portions of Cleaveland and Rutherford Counties.

Mr. Daniel presented a memorial from citizens of Hertford county concerning a river in that county, which was referred to the committee on Grievances.

Mr. Waugh reported favorably with an amendment, to the bill incorporating the Salem, Winston and Germantown Turnpike road.

Mr. Bullock introduced a bill giving Justices of Peace power of correcting errors in lists of taxables, which was referred to the committee on Finance.

Mr. A. H. Caldwell introduced a bill incorporating the Gold Hill Mining Company, which was referred to the committee on Corporations.

Mr. Sharpe introduced a bill authorizing a Board of Commissioners to erect a new Court House in the county of Iredell. Read the second and third times and passed.

On motion of Mr. Yancy, the bill incorporating the French Broad Rail Road was made the special order of Thursday next at 12 o'clock.

On motion of Mr. Myers, leave of absence was granted Mr. Dunn for 10 days.

Mr. Williams, of New Hanover, introduced a bill authorizing the erection of a Toll Bridge across Black River in New Hanover county.

On motion of *Mr.* Ainis, resolutions in favor of Wm. Gilliam and Mr. Debaum were taken up and passed to the file of bills on their second reading.

Mr. Black introduced a bill to incorporate the Davidson College Volunteer Company, which was referred to the Committee on Military affairs.

Mr. Shepherd introduced a bill to incorporate the Fayetteville Female High School, which was referred to the committee on Corporations.

Mr. Winston introduced a bill concerning oysters, which was referred to the committee on Private bills.

Mr. Winston introduced a bill in favor of Messrs. Worsham and Galloway, of Brunswick, which was referred to the committee on Private bills.

On motion of Mr. Gentry the bill concerning the establishment of a new county to be called Allegheny was taken from the table, and the question arising on a motion for reconsidering the vote, the ayes and nays were demanded by Mr. Daniel, with the following result: Ayes, 64; nays 40.

The bill was then passed to the file of bills on their second reading.

An engrossed bill from Senate proposing a county to be called Polk was read the second time.

Mr. Winston moved to postpone till Friday, which motion was lost.

The question arising on the passage of the bill the ayes and nays were demanded by Mr. Outlaw, when the following vote was announced:—ayes, 65; nays, 42.

Mr. Love moved to suspend the rules and place the bill on its third reading.

Mr. Outlaw raised objections to the hot haste.

Mr. Love withdrew the motion.

Mr. McKesson renewed the motion and said that the bill would have no more merits, or friends perhaps, on Friday than now. He therefore moved its third reading.

Mr. Outlaw continued his remarks. He alluded to the requisite amount of population, and objected to the principle of erecting new counties without it, as it was a violation of the spirit and intention of the Constitution.

Mr. McKesson said he would withdraw the motion as the gentleman seemed to manifest so much interest in the matter.

Then, said Mr. Outlaw, I withdraw my remarks.

An engrossed bill to compensate Justices of Peace for taking lists of taxables, was read the second time.

On motion of Mr. Whitaker, the bill was recommitted to the committee on Finance with a resolution instructing the committee to report upon the propriety of allowing Justices of Peace, One per cent. on the amount of taxables taken as compensation for their services, and reducing the fees of Sheriffs for collecting the same to five per cent. instead of six as at present.

A bill incorporating the Trent River Navigation Company was read the second time and passed.

A bill incorporating the Greensboro, Madison and Virginia Plank road Company was read the second time; and, on motion of Mr. Phillips, was amended so as to conform to the provisions of the general corporation law, and the bill, as amended, passed its second reading.

The special order of the day, being a bill on its second reading, to divide the State into nine Judicial circuits, on motion of Mr. Shipp the bill was laid on the table for the present.

On motion of Mr. Patterson the bill limiting the time in which persons appointed Justices of Peace shall take the oath of office was taken up, read the second time, debated at length and on motion of Mr. Bullock indefinitely postponed.

A bill incorporating the Union Bank of Newbern was read the second time.

Mr. Martin moved to amend the bill by striking out after gold and silver the words "or their equivalent."

Mr. Mebane demanded the ayes and nays on the amendment. He thought all Banks should be established on the gold and silver basis. He was opposed to making the notes of other Banks the basis of Banking Capital.

Mr. Jenkins moved the indefinite postponement of the bill and its amendments.

Mr. G. Green obtained the floor and defended the bill. He alluded to the wants of the citizens of Newbern for more banking capital. He hoped the motion to indefinitely postpone would not prevail.

Mr. Jenkins replied. He desired to know if the stock in the Banks heretofore authorized at Newbern had been taken. He had no ill feeling towards Newbern. He should vote for no new Bank unless he was satisfied the wants of the people demanded it. (Mr. Love interrupted to inquire if the gentleman from Warren was in favor of rechartering the State Bank and the Bank of Cape Fear.)

Mr. Jenkins replied that on that subject he had not made up his mind, neither did he know whether he should vote for the People's Bank. At the proper time his views would be made known. He was in favor of the amendment offered by Mr. Martin if the bill was passed.

Mr. D. F. Caldwell arose and said the argument used by the gentleman from Warren concerning the stock not being taken was the strongest argument in favor of chartering new Banks. He alluded to the custom of closing the books before all the stock is taken. He thought every member of the Legislature should speak freely upon the subject in consideration of its importance.

Mr. Jordan spoke upon the bill and the banking system in general.

Mr. J. M. Leach thought all the bills for Banks should lie over for the time; for if the several bills be indefinitely postponed, the Legislature might find itself in an awkard position, by having no bank. He desired all the bills for local Banks should stand over until the Legislature consider and decide in its wisdom upon the propositions to recharter the Cape Fear and State Banks and upon the Peoples' Bank, which the gentleman from Guilford has so much at heart. He hoped the gentleman from Warren would withdraw his motion for indefinite postponement.

The hour for recess having arrived the Speaker arose during the debate and the House adjourned till 3 P. M.

AFTERNOON SESSION.

The bill to charter the Union Bank of Newbern, pending the discussion of which the House took recess, was again taken up, debated at great length by Messrs. Jenkins, J. M. Leach, G. Green and others.

Mr. Singletary moved to lay on the table, which motion prevailed.

The bill chartering the Shelby Railroad Company passed its third reading.

On motion of Mr. Shepherd, the bill re-chartering the Bank of the State was made the order of Wednesday next.

The bill amending the charter of the town of Statesville was read the second time and passed. On motion of Mr. Sharpe, the rules were suspended, the bill read the third time and passed.

A bill concerning the Wilmington and Raleigh Railroad Company was read the the second time and passed.

The engrossed bill concerning cattle, horses and hogs, in relation to the destruction of such stock by Railroads, making the company liable for the destruction of the same, was read the second time.

Mr. Outlaw moved the indefinite postponement of the bill.

Mr. Jenkins defended the bill.

Mr. Dargan opposed it.

Mr. S. A. Williams spoke to the merits of the bill.

Mr. Outlaw explained his motives for making the motion. He was opposed to establishing the principle of requiring one rule of evidence for one class of persons and another for another.—He argued that the increase in the value of lands along the railroad route more than counterbalanced the loss sustained by the destruction of their stock.

Mr. Williams, of New Hanover, opposed the bill.

Mr. McKesson said he had but one remark to make. He remarked that every member of the Western district voted for the Raleigh and Gaston Road; and now if they would give the West the western extension, they might kill half of the stock they possessed, and they would give the east the balance to pay for what they had lost.

The question arising on the motion for indefinite postponement, it was carried by a vote of ayes 64; nays 34.

The House then adjourned.

SENATE.

January 9th, 1855.

Mr. Fisher, from the Committee on Internal Improvements, reported the following bills with amendments, and recommended their passage.

A bill to incorporate the Western Railroad Company; made the order of the day for Wednesday 11 o'clock.

A bill to incorporate the Fayetteville and Greensboro Railroad Company; made the order of the day for Wednesday 12 o'clock.

A bill to incorporate the Dan River and Yadkin Railroad Company; made the order of the day for Monday 11 o'clock.

Mr. Boyd, from the committee on Propositions and Grievances, made reports on a number of private bills.

Reports were also made from the committee on the Judiciary, and on education and the Literary Fund.

Mr. Wilder, from the Committee on Public Buildings, to whom was referred the resolution in relation to the Executive Mansion, reported a substitute appropriating $6,000 for constructing wing and repairs.

After debate, Mr. Wilder moved that the bill be re-committed to the committee, with instructions to report a bill for the erection of a new building, which motion prevailed by Ayes 25—Noes 20.

The special order, being the bill to provide for for a uniform valuation of lands, and that taxes shall be paid in the same year they are listed, was taken up.

On motion of Mr. Graham the bill was re-committed to the committee on Finance, with instructions to make certain alterations therein.

The hour of 12 having arrived, the special order, being the bill to re-charter the Bank of Cape Fear, was taken up.

After considerable debate, and several amendments, without taking the vote on the bills,

On motion of Mr. Clarke, the Senate adjourned.

HOUSE OF COMMONS.

Mr. Jenkins moved a reconsideration of the vote concerning the destruction of live stock by railroads.

Mr. Dortch said that he was not in his seat when the vote was taken on yesterday. He further said he was an internal improvement man and desired to submit a few remarks on the subject, as also, did Mr. Smith of Halifax, who was absent; he therefore, moved to lay the motion for reconsideration on the table for the present, which prevailed.

Mr. Yancy presented a memorial, which was referred to the committee on Grievances.

Mr. Dortch, in behalf of the committee on the judiciary, reported a substitute for the bill for the protection of wives and children; also, on the bill concerning constables—giving them 2 per cent on collections in addition to the fees already allowed.

Mr. Norment, in behalf of the committee on Agriculture, reported that any change in the law of selling grain, salt, meal, &c., as proposed by a bill submitted to them, is inexpedient.

Mr. Shepherd, in behalf of the committee on Finance, submitted a report at length together with a revenue bill, which bill was read the first time. It was ordered that the bill be printed, and the report sent to the Senate with a proposition to print.

Mr. Steele read a minority report against re-chartering the Bank of the State signed by Messrs Steele, G. Green, and D. F. Caldwell.

Mr. Dortch moved to print the report.

Mr. Steele thought it unnecessary and would prefer the report be not printed. He said he was not afraid of the types, however, he would tell it all over, and more too, when the bill came up.

Mr. Dortch withdrew the motion.

Mr. Humphrey renewed it and the motion to print prevailed.

Mr. G. Green, from the committee on Internal Improvement, reported a substitute for the bill chartering the Western Railroad Company. The substitute was read the first time.

Mr. Settle, from the committee on claims reported favorably to the resolution in favor of Adner Walker.

Mr. Lancaster, from the committee on Private Bills, reported on a number of unimportant bills and resolutions.

Mr. Causler, from the committee on Internal Improvements, recommended the rejection of the bill for draining the swamp lands of Pitt.

On motion of *Mr.* Rolen, *Resolved*, that the Committee on Agriculture inquire into the expediency of dividing the State into two Geological Districts.

Mr. Dortch moved a reconsideration of the vote ordering the printing of the Revenue bill in connection with the report of the committee on Finance, which motion was debated at some length. Mr. Dortch thought it unnecessary to print more than the report and the amendments, as the revenue bill was before the members of the House.

After debate, on motion of Mr. Winston, the motion for reconsideration was laid on the table.

Mr. Jordan introduced a bill authorizing clerks of county courts to sell copies of Revised Statutes remaining in their offices.

The hour having arrived for the consideration of special orders—the Bank of Wilmington at 11½ o'clock and the People's Bank at 12—the chair decided the special orders could not be taken up until the usual morning business has been transacted.

Mr. D. F. Caldwell appealed from the decision of the chair, and the question was argued by Messrs Caldwell and Williams, of New Hanover.

Mr. Caldwell withdrew his appeal, saying he disliked the course, and moved to suspend the rules, and take up the special orders.

Mr. Baxter renewed the appeal and argued the question.

The question was further argued by Messrs Outlaw, Singletary, Baxter, and Phillips.

The question arising on the appeal from the decision of the chair, the decision was sustained.

Mr. Humphrey introduced a bill to incorporate the Richlands and New River Plankroad Company, which was referred to the committee on corporations.

Mr. Bryant introduced a bill for the pay of regular and tales jurors in the county of Nash.

By Mr. Garland, a resolution in favor of D. B. Baker and others which was referred to the committee on claims.

On motion of Mr. Dortch, the bill on the table in relation to the public printing was referred to the committee on Public printing.

Mr. Simmons introduced a bill chartering the Trenton Hawksville plankroad company, which was referred to the committee on corporations.

By Mr. N. B. Whitfield, a bill incorporating the town of Warsaw.

On motion of Mr Steele, the bill to charter the Peoples' Bank was taken up by a suspension of rules and read the second time.

On motion of Mr. Barringer, the House resolved itself into a committee of the whole.—Mr. Shepherd being called to the chair.

Mr. Mebane then submitted several amendments, changing the name of the bank from Peoples to the North Carolina Bank, and in some other particulars.

Mr. Amis called for a division of the question, but without taking vote, leave was given Mr. D. F. Caldwell who arose and addressed the committee on the merits of the bill introduced by him until the hour for recess when the committee arose.

Mr. Shepherd reported that the committee had had under consideration the bill to charter the People's Bank with amendments, that they had made progress therein and asked leave to sit again, which was granted.

The House then took recess till 3 P. M.

AFTERNOON SESSION.

The House met at 3 P. M. and, on motion of Mr. D. F. Caldwell, the House resolved itself again into the committee of the whole, Mr. Shepherd being called to the chair.

Mr. Caldwell continued his remarks upon the bill to charter the Peoples' Bank at considerable length.

The question arising before the committee on several amendments offered by *Mr.* Mebane they were adopted as follows: strike out "People's" and make the title read the "Bank of North Carolina."

On the next, striking out Wilmington and insert Raleigh, Mr. G. Green called for a division of the question, when the committee voted to strike out.

Mr. Love moved to insert Goldsboro, which was lost.

The committee then voted to insert Raleigh in the place of Wilmington.

The bill was further amended in some unimportant particulars on motion of *Mr.* Mebane.

Mr. Steele submitted an amendment by an additional section placing the proposed Bank on an equality with other Banks in the State, having reference as to where the notes may be redeemable, which amendment was accepted.

Mr. Norment offered an amendment to insert Lumberton, which was also accepted.

Mr. Dargan opposed the bill.

On motion of *Mr.* Baxter the committee arose.

Mr. Shepherd reported from the committee of the whole that the committee had made progress on the bill to charter the People's' Bank and asked leave to sit again, which was concurred in by the House.

On motion of *Mr.* S. A. Williams the House adjourned.

SENATE.

Jan. 10th 1855.

Mr. Wiggins presented a memorial from citizens of Halifax, accompanied by a bill to authorise the building of a toll bridge over Roanoke River at Halifax, and to incorporate a company for that purpose. Referred.

The following reports were made:

By Mr. Fisher, from the committee on Internal Improvements, favorably upon the bill to incorporate the Yadkin Plank Road Company, as amended by the House. Concurred in.

By Mr. Mills, from the committee on the Lunatic Asylum, reported a bill to complete, furnish and enclose the Lunatic Asylum, which passed its first reading.

Mr. Wilder, from the committee on public buildings, a resolution appropriating $1,000 to furnish the Executive Mansion; passed its three readings.

Mr. Boyd presented a resolution instructing the committee on Education to inquire into the propriety of so amending the Common School law, as to allow commissioners to employ teachers, whether they have a certificate from the Examining Committee or not.

Mr. Taylor introduced a bill establishing a lien upon steamboats, ships and all other vessels, and for recovering debts against them. Referred to the committee on the Judiciary and ordered to be printed.

The following bills were introduced and appropriately referred:

By *Mr.* Graham, a bill to establish a library of documents for each House of the General Assembly.

By *Mr.* Speight, a bill to provide for the payment of jurors in the county of Greene.

By Mr. Wood, a bill to confirm a grant heretofore made to Elijah W. Piggott of Carteret County.

By Mr. Haughton, a memorial on the liquor traffic.

By Mr. Gilmer, a bill to incorporate the Silver Hill Mining Company in the county of Davidson.

Also, a bill to incorporate Pleasant Hill Lodge of Ancient York Masons.

By Mr. Lane, a bill to limit the term of Chairmen of the Board of Common Schools.

The special order—the bill to incorporate the Western Railroad Company—was taken up and made the order of the day for Friday at 12 o'clock.

Mr. Biggs reported a number of bills from the committee on Revised Statutes, which passed their first reading.

The bill to amend an act defining the duties and powers of Plank Road and Turnpike Companies, was laid on the table.

The bill to lay off a road from the Wilkes county line to the Tennessee line, passed its third reading by ayes 29; noes 5.

The bill to incorporate the Salem and Clemmonsville Plank Road Company passed its third reading.

The special order, being the unfinished business of yesterday, was passed over to take up the bill to construct a ship canal to connect the waters of Albemarle and Currituck Sounds with Chesapeake Bay.

The bill was advocated by Messrs. Biggs, Cherry, Fisher, Haughton, Gilmer, Rayner and others.

After several amendments, the bill passed its second reading by ayes 46 noes 3; as follows:

AYES—*Messrs.* Ashe, Biggs, Bower, Boyd, Cherry, Christian, Coleman, Cunningham, Davis, Eborn, Faison, Fennell, Fisher, Fonville, Freeman, Gilmer, Graham, Graves, Haughton, Herring, Hoke, Jones, Lane, McCleese, McDowell, Mills, Morrissey, Oldfield, Person, Rayner, Sanders, Speight, Taylor, Taylor, J. W. Thomas, W. H. Thomas, Walker, Wilder, Wiggins, Willey, Winslow, Wood.

NAYS—Messrs. Brogden, Eaton, Martin.

HOUSE OF COMMONS.

After reading the Journal,

Mr. Lancaster, in behalf of the committee on Private bills reported favorably upon the following bills: To extend the limits of the town of Ashboro; to increase the pay of witnesses in Onslow; and to prevent the felling of timber in Big Brush Creek, in Randolph county.

Mr. Causler, from the committee on Internal Improvements, reported favorably upon a bill to erect a dam across Neuse river.

Mr. A. H. Caldwell, in behalf of the committee on corporations, reported favorably upon bills in corporating the Charlotte Gas Light Company; and incorporating the Kinston Female College.

Mr. Waugh, from the committee on Grievances, reported favorably upon a bill to regulate the sale of salt by the sack; and unfavorably upon the following bills: To open a public road in the county of Rowan; and on a memorial from citizens of Madison county to keep open the Big Ivy.

On motion of *Mr.* Garland, the bill incorporating the McDowell plankroad was recommitted to the committee.

On motion of Mr. D. F. Caldwell, the House resolved itself into a committee of the whole to take up and consider the bill to charter the Bank of Wilmington. Mr. Shepherd being called to the chair, the bill was read the second time; and Mr. Williams, of New Hanover, took the floor and addressed the committee at some length upon the merits of the bill.

Mr. McMillan submitted an important amendment to the bill.

Mr. Martin moved to amend by striking out "or their equivalent," whenever it appears in the bill.

Mr. Phillips favored the amendment. He remarked he should, under his present impressions, vote to strike out the words in all the bills chartering banks; and he desired the gentlemen introducing the phrase in their bank bills to explain the matter. He thought the only safe banking basis was the precious metals.

Mr. Myers said he could not see how a new Bank could be established if the propositions to strike out "their equivalents" was carried. He argued that if the Commissioners were required to receive gold and silver only, it would drain the vaults of the old banks and compel them to suspend redemption of their outstanding notes, which would bring about a monetary crisis the end of which can not be seen.

Mr. Phillips replied that the gentleman from Mecklenburg had not refuted his position. He said that if all the Banks were chartered that have already been introduced with the liberty of making their basis on the notes of other banks, there would be found the most rotten currency that ever afflicted any State. He argued that if there was not enough gold and silver in the State to form further the banking basis, then the State needed no further Banks. He said the only safe system of banking, in his opinion, was a due regard to the proportion between the gold and silver and the paper currency. He expressed himself not hostile to banking system, he desired to vote for proposed banks when he became satisfied the wants of the people demanded it.

Mr. Steele interrupted to inquire of Mr. Phillips if his argument was that there was no equivalent to gold and silver. And instanced bills of exchange payable at sight?

Mr. Phillips thought there was no equivalent to gold and silver for a banking basis.

Several questions were put to Mr. Phillips by Messrs. Steele and D. F. Caldwell.

Mr. Phillips continued. He desired gentlemen incorporating the term "or the equivalents" in their bills to explain what they deemed equivalent to gold and silver.

On motion of Mr. Baxter, the committee rose, the Speaker resumed the chair and Mr. Shepherd reported that the committee of the whole had had under consideration a bill to charter the Bank of Wilmington and had made progress therein and asked leave to sit again.—The House concurred in the report.

On motion of Mr. Outlaw, the minority report against chartering the Bank of the State, which was ordered to be printed on yesterday, was reconsidered, and the House countermanded the order.

The special order being a bill to recharter the Bank of the State was taken up and the bill read the second time.

Mr. Steele moved that the House go into a committee of the whole.

Mr. Amis thought it unnecessary unless the Speaker desired to participate in the debate.

After some further remarks by several members, Mr. Steele withdrew the motion.

Mr. Outlaw renewed it and the House resolved itself into committee of the whole, Mr. Shepherd being called to the chair.

An amendment was submitted by Mr. Steele to the effect that when the Bank has claims against any person or corporation, the notes of the Bank, without reference as to where made payable, shall be a legal tender, which amendment was adopted.

Mr. Outlaw submitted an amendment to the effect that the Bank shall not issue or reissue any bill of less denomination than five dollars.

After being debated at some length, the committee rose on motion of Mr. Myers.

Mr. Shepherd reported the committee of the whole House had had under consideration the bill to re-charter the Bank of the State, had made progress therein and asked leave to sit again.

The report was concurred in and the House took recess.

AFTERNOON SESSION.

House called to order at 3, P. M.

On motion of *Mr.* Smith the use of Commons Hall was granted the State Agricultural Society for the purpose of holding a public meeting therein.

Mr. Jenkins moved a reconsideration of the vote whereby the various Bank bills were referred to the committee of the whole House, which motion was rejected.

Mr. Baxter introduced a resolution concerning the Cherokee Bonds, which was adopted.

Mr. Patterson introduced a bill authorizing the late Sheriff of Caldwell county to collect taxes in arrears.

By *Mr.* Gentry, a bill to incorporate the Mountain railroad company, which was read the first time and referred.

By Mr. Sherrill, a bill to improve a road from Newton to Morganton.

By *Mr.* Selby, a bill to drain the Matamuskeet Lake, which was referred to the committee on Internal Improvements.

By *Mr.* Ross, a bill to amend the Common School law.

By *Mr.* G. Green, a bill to incorporate the Female Benevolent Society of Newbern. By suspension of rules the bill was read the second and third times and passed.

By *Mr.* Bullock, a bill to repeal the office of Superintendent of Common Schools, which was referred to the committee on education.

By *Mr.* Oglesby, a bill in favor of R. S. Hall which was referred to the committee on Private bills.

By Mr. A. J. Jones, a bill to repeal the law requiring the enrollment of all free white men over the age of 18 years, and providing for the substitution of 21 years instead thereof, which was referred to the committee on Military affairs.

By *Mr.* Houston, a bill to survey the dividing line between Duplin and Sampson counties.

On motion of *Mr.* Dortch the House resolved itself into a committee of the whole on the Banking system, *Mr.* Shepherd being called to the chair.

Mr. Wright moved that the committee do now rise, which motion was rejected.

The amendment submitted by *Mr.* Outlaw was discussed at length, when the question was called on the amendment and it was adopted by ayes, 43; nays, 41.

Mr. Outlaw moved that the committee rise and ask leave to sit again which motion was carried.

Mr. Shepherd reported progress and asked leave in behalf of the committee to sit again.

The report was concured in.

The House then adjourned.

SENATE.

January 11th, 1855.

Mr. Fisher, from the committee on Internal Improvements, made a long report in favor of the bill concerning the Cape Fear and Deep River Navigation Company. Made the order of the day for 12 o'clock. On Saturday.

A number of bills from the committee on the Revisals, were read the first time.

The engrossed bill to extend the time to perfect the title to lands, was read three times and passed.

The engrossed resolution in relation to the public treasurer, passed its first reading. Its second reading was postponed till to-morrow.

Mr. Biggs obtained leave to make a personal explanation and said,

It will be recollected upon the debate upon the free suffrage bill, I was replied to by the Senator from Guilford (Mr. Gilmer) and others. In the printed speech of the Senator in the Register I discovered this paragraph:

"The Senator from Martin assails Gov. Manly "for the expression of his regard for the popular "will, fairly and deliberately expressed, seemingly courts at the idea of "*the moral effect*" "of such expressions, and exclaims most startingly, "All this may do for the time and the "occasion.", Whether he will always feel at "liberty to deal out such strains, time only can "determine.

☞ In this paragraph, great injustice is done to me. In my speech I certainly did not assail Governor Manly at all, and least of all for his respect and regard to the popular will. I referred to and quoted an extract from the message of Gov. Manly to prove that although he concurred with the Senator from Orange that the Legislature might submit the question of convention to the people, that they differed as to the power of the Legislature in going farther without a two thirds vote. I certainly did not scout "seemingly" or otherwise at the expression of sentiments of respect for the popular will, and I certainly did not exclaim startlingly, "All this may do for the time and the occasion."

Again, the speech says, "The Senator from "Martin argues at length to show that now, for "the first time the issue is distinctly made, free "suffrage by legislative enactment or a free "and unrestricted convention, called on the federal basis of the House of Commons; and before he gets through, he falls upon the Western "Address, belabors it, but admits that in it, four "years ago, this issue was clearly and distinctly "made. He holds up this address as containing "something dangerous and monstrous, and yet, "ready as he is at reading from books and papers, he reads none of this address and points "out no part thereof, but he deems objectionable and censurable." In my remarks I barely alluded to the Western Address *as* denouncing the present basis of representation in the Senate, in answer to the opinion expressed by the Senator from Orange, that there was no danger that the basis would be altered by a convention. I certainly did not "belabor" it, or comment upon it as "containing something dangerous and monstrous" I called the attention of the Senator to the first paragraph, and he stated that it was incorrectly printed in consequence of improper punctuation, and he had ordered a correction when the speech should be published in the Star, or that he would join me by correcting it in a card. Upon examination of the speech, however, as published in the Star, I find the only correction is a period made after the word "startingly," which I cannot see will at all correct the injustice. The paragraph attributes to me a feeling in reference to the popular will which I neither expressed or possess, and places words in my mouth by quotation points which I neither uttered or thought of, and as the correction has not been made in the Star as I expected, I deem it due to myself to make this explanation in the Senate with a hope that the correction will be made as public and general as the printed speech of the Senator from Guilford.

Mr. Oldfield introduced a bill to incorporate an Mr. Gilmer also made some remarks by way of explanation.

academy in Jones County.

Mr. Wood, a bill for the better protection of religious assemblies and societies.

The following engrossed bills were read the first time and appropriately referred:

A bill to amend the statute concerning widows.

A bill to authorise the wardens of the poor in Pasquotank County to sell the poor lands.

The bill to authorise the erection of a Court House in Iredell County and for other purposes was read three times and passed.

A bill to incorporate the Yadkin Institute in Davie County.

A bill to incorporate the Chapel Hill and Morrisville plank road or turnpike company.

A bill to amend an act entitled an act to prevent the obstruction of the passage of fish in Mount's creek and its tributaries.

The following bills were read the third time and passed:

A bill to incorporate two Academies in the town of Ashsboro.

A bill concerning the Fayetteville and Centre Plank Road Company.

A bill for the better regulation of the town of Hillsboro.

A bill to incorporate the Howard's Gap Turnpike Company.

A bill in relation to the poor in the county of Randolph.

The bill to emancipate James G. Horsley, a slave, passed its second reading.

Pending the consideration of this bill. Mr. Thomas, of Jackson, said,

Mr. Speaker:—During the present session the Senate have already passed in favor of emancipating two slaves upon proof being furnished that they were qualified to take care of themselves and in their sphere of action become useful members of society, and also had referred meritorious services. In those cases the senate decided not to incumber the emancipated with a resolution which would certianly deprive the individuals of the principal advantages which would result from emancipation, that of knowing, that for conducting themselves as useful members of society, being able to furnish recommendations from gentlemen of the highest standing in their favor, why should we refuse to emancipate any slave under these conditions? What injury can the people of any county in the State suffer from having useful barbers and mechanics? Already the Senate have decided in favor of emancipating two slaves, barbers, without the restrictions proposed, for the benefit of the Western Railroad, and the West will not object to having a good carpenter, to accompany the two barbers. The effect of passing bills like the present upon proof of meritorious services is, to encircle every slaveholder and family with the protection of their own servants which a desire to gain their liberty will inspire.

The special orders,—the several bank charters, and the bill to charter the Fayetteville and Greensboro' Railroad—were postponed.

The bill to amend the constitution of the State (free suffrage) coming up, on motion of Mr. McDowell, it was referred to a select committee of three, with instructions to perfect the phraseology of the bill. The committee consists of Messrs McDowell, Boyd and Cunningham.

The resolution to divide the State into eight judicial circuits, was taken up.

On motion of Mr. Haughton it was amended so as to read a bill, &c.

Mr. Martin moved its indefinite postponement, which was lost by ayes 18, noes 30.

Mr. Haughton moved to strike out eight and insert nine, which was lost by ayes 6, noes 40.

The bill passed its second reading, after being so amended as to instruct the committee on the revisal to report a bill providing for the division of the State into eight judicial circuits.

On motion the bill was reconsidered, and Mr. Haughton moved his amendment making it a bill dividing the State into eight judicial circuits and designating the circuits.

After the adoption of various amendments, the bill passed its second reading by ayes 25, noes 18.

On motion, the Senate adjourned.

HOUSE OF COMMONS.

After reading the Journal of yesterday,

Mr. Mann presented a memorial signed by some two hundred citizens, nearly all of Pasquotank, against the proposed ship canal to connect the waters of Albemarle and Currituck Sounds with the Chesepeak Bay, which was referred to the committee on Internal Improvements.

Mr. A. H. Caldwell, in behalf of the committee on Corporations, reported in favor of bills incorporating the town of Warsaw and Richlands Turnpike road.

On motion of Mr. Mebane,

Resolved, That from and after Tuesday next, this House will take recess from 5 P. M., till 7 P. M., and at which session the House will only consider the Revised Statutes.

Mr. Williams, of Greene, introduced a bill incorporating the town of Snow Hill, which was referred to the committee on Corporations.

By Mr. Humphry, a bill chartering the New River, Wilmington and Topsail Sound Plankroad Company, which was referred to the committee on Corporations.

On motion of Mr. Myres,

Resolved, That no bill shall be introduced from and after the 15th inst. Lies over one day.

By Mr. Williams, of Greene, a bill incorporating the Snow Hill and Atlantic Plankroad Company, which was referred to the committee on Corporations.

On motion of Mr. Daniel, the bill incorporating the Centre Gold and Copper Mining Company was taken up and passed on the file of bills on their second reading.

On motion of *Mr.* McDuffie, the bill to emancipate Betty, a slave, was taken from the table and read the second time. Mr. McDuffie offered an amendment to the effect that the slave shall not reside out of the county of Cumberland more than thirty days at one time. The amendment was adopted. The ayes and nays were called by Mr. S. A. Williams, and the bill was passed by a vote of ayes 57, nays 47.

Mr. Settle moved to take from the table a series of resolutions introduced by him on the subject of Slavery, and make it the special order of Thursday next at 12 o'clock. He called the ayes and nays and the motion prevailed—ayes 65, nays 45.

Mr. Leach moved to take up a series of resolutions introduced by him on the subject of public lands, and make it the special order of Thursday next at 12 o'clock. Mr. Leach demanded the ayes and nays and the motion was lost—ayes 44, nays 65.

Mr. Leach then moved to make them the special order of Monday, which he afterwards withdrew, and the resolutions were taken up and read.

Mr. Dortch moved the indefinite postponement of the resolutions. Mr. McKesson demanded the ayes and nays. The House refused to indefinitely postpone by the following vote:—Ayes 55, nays 57.

The question arising on the resolutions, the ayes and nays were demanded by Mr. Leach and they were rejected by the following vote:—

AYES—Messrs. Barringer, Baxter, Bogle, Bryson, J. G. Bynum, A. H. Caldwell, D. F. Caldwell Chadwick, Cook, Craven, Daniel, Dargan, Davenport, Eure, Furr, Garland, Gentry, Gillham, Gorrell, G. Green, Harrison, J. H. Heaton, A. D. Headen, Horton, Johnson, Jones, Lancaster, Hugh Leach, J. M. Leach, Love, McKesson, Mann, March, Mebane, Mordecai, S. J. Neal, Outlaw, Parks, Patterson, Patton, Perkins, Phillips, Rollins, Russell, Sharpe, Shipp, Simmons, Smith, Steele, Stubbs, Thornburg, Turner, Vance, Walker, Wilkins, B. F. Williams, Winston—57.

NAYS.—Messrs. J. Barnes, A. Barnes, Badham, Black, Blow, Bryant, Bullock, J. B. Bynum, Causler, Cofield, Cotten, Daughtry, Dortch, Flynt, M. Green, Hill, Holland, Humphreys, Jarvis, Jenkins, Jordan, Long, Lyon, McDuffie, McMillan, Martin, Meares, Myers, J. W. Neal, Norment, Oglesby, Rand, Regan, Rose, Selby, Settle, Shaw, Shepherd, Sherrill, Singletary, Smallwood, Sutton, Tomlinson, Watts, Waugh, Whitaker, G.M. White, L. Whitfield, N. B. Whitfield, Whitlock, C. W. Williams, D. Williams S. A. Williams, T. H. Williams, Wright and Yancy—57.

Being a tie, the Speaker voted in the negative, and so rejected the resolutions.

Mr. Love moved that the House go into a committee of the whole on the subject of Banking, which motion was lost.

Mr. Mebane moved to make the bill chartering the North Carolina Railroad Company the special order of Wednesday next, which motion was lost by ayes 49, nays 66.

The special order of the day being to consider the Greenville and French Broad railroad bill on its third reading, it was taken up and argued by Mr. Baxter in favor thereof.

The bill was then postponed till to-morrow.

An engrossed bill to lay off a new county to be called Polk was read the third time.

Mr. D. F. Caldwell opposed the bill at some length.

Mr. Winston was opposed to the creation of new counties at less when the circumstances do not call such a separation. He thought that any county now in existence or to be created without the requisite amount of population, was an evil.

Mr. J. G. Bynum gave a brief history of the proposed County, and submitted an amendment to the effect that the County town shall be located in the geographical centre or within two miles thereof, which amendment was adopted.

Mr. Outlaw moved the indefinite postponement of the bill.

Mr. D. F. Caldwell remarked he should regard himself as a perjured man were he to vote for the bill; for, disguised as it might be, it is a violation of the letter and the spirit of the constitution.

The hour for recess was postponed ten minutes in order to take the vote on the bill, which time was consumed in discussion.

The time was again extended ten minutes, on motion of Mr. Myers, which time was consumed in discussion.

On motion of *Mr.* Cook, the time was again extended ten minutes. Discussed at some length.

Mr. Outlaw withdrew the motion to indefinitely postpone.

The question arising on the bill to lay off the aforesaid County, it was passed—ayes 57, nays 45.

The House then took recess.

AFTERNOON SESSION.

On motion of Mr. G. Green an engrossed bill for the emancipation of John Good was read the second time and passed.