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Legislature of North Carolina.

SENATE.

Jan. 30th 1855.

The following bills were read the second and third times and passed:

A bill to incorporate the Dobbin House Company in the town of Fayetteville.

A bill to amend an act entitled an act to prevent the obstruction of fish in Blount's Creek and its tributary streams.

The bill to authorize the board of literature to appoint an agent, passed its second reading.

The resolution in favor of Walter Gwynn, was read the second and third times and passed.

The committee on the Judiciary to whom was referred the memorial of the Seaboard and Roanoke Railroad company, reported a resolution extending the time for the payment of the bonds due by said company to the State.

The bill to establish the Central Bank, was taken up, read the second time and laid on the table.

A bill for the relief of the citizens of Iredell County, was read the second and third times and passed.

Also the bill to incorporate the Gulf and Deep River Iron Manufacturing Company.

The Special order, being the bill to amend an act passed at the last session of the General Assembly, entitled an act to incorporate the Atlantic and North Carolina and the Western North Carolina Railroad Companies [eastern extension,] was taken up, when,

Mr. Wiggins said:—Mr. Speaker, I desire to make a few remarks before the vote is taken on the passage of this bill. Sir I came here, as I thought, a pretty good railroad man—with the view and purpose of voting for the completion of the central railroad, the great work of the State—paramount, in my opinion, to all others. Mr. Speaker, I have voted to extend this road west—I believed sir, that the interests of the State demanded the road and that it was all important that it should be extended both east and west; to make it useful and profitable, but sir, looking at the map before me, and tracing the lines both in the north and south, of the roads, for which we have passed bills here, in my judgment the great trunk will be weakened, having the springs or feeders cut off (to some extent) on both sides, and that the road will be placed in the situation in which you described your town would be—in the folds of the Boa constrictor. Therefore, sir I am compelled, though reluctantly, to cast my vote against the bill, on this reading at least, I do this sir, because I cannot see how two roads, running so near each other, to Beaufort, can be profitable. This is my view of the matter, it may be erroneous, if so, it is an error in judgment.

Mr. Clarke said that the great question of the eastern and western extension had been prominent before the people, and they had all come here prepared to extend the Central Road; but since coming here, they seemed to have forgotten it. Some attention must be paid to the Treasury of the State. it will require something more than bonds to build railroads and support the iron horse. The Senate had already by its vote, chartered a road to Beaufort. The road was already extended to Wilmington in one direction, and if this and the bill heretofore passed by the Senate became laws, they would come in collision with each other. If he had his selection, he would say extend the road from Goldsboro to Beaufort; but this had been superseded by another road farther down. The appropriation by this bill would build this road by State aid alone. Mr. C. spoke of the harbor at Beaufort, and compared the depth of water on the bar there with that at the mouth of the Cape Fear.

Mr. Cherry thought that he would have nothing more to say on the subject of internal improvement. At a very early day, he had defined his position. He then gave his reasons for voting for these roads. But another railroad, not coming within the reasons he had given, had been before us. He had voted for this, but not finding such provisions in the bill as he thought were it, he had changed his vote. He commented at some length upon an article in the Standard showing its injustice to himself. He had been glad to hear this morning that the Senator from Martin would vote for this. He should vote for this bill with pleasure.

Mr. Biggs said it seemed they should never have enough of appealing from one Senator to another. The Senator from Bertie had, as he thought very improperly, started this question and kept it up.

Mr. Cherry said he did not intend anything discourteous or unkind towards his friend from Martin; he had heard that he would vote for this extension, and he hoped he would.

Mr. Biggs then commented at some length upon the course adopted towards himself. He was willing to go into these works within the means and resources of the State. He could not be influenced by the tempest which seemed to be raging over the Senate. Gross injustice had also been done him. Words had been put in his mouth that he had never uttered. He had expressed himself in favor of extending the North Carolina Railroad, and opposed all works coming in conflict with it. But he was in favor of going on judiciously. He had had injustice done him, and he was glad to see that justice was about to be done to his views. In all he did, he would be governed by this ruling principle, his was not going for a debt which would make it difficult for North Carolina to meet her engagements. He had unexpectedly been again called on to define his position. He would vote for this bill, as he had always declared he would do.

Mr. Wood replied to the remarks of *Mr. Clarke.* He contended that the bill heretofore passed by the Senate was not an extension of the Central Railroad. He went on to show what had been done for this road. It was nearly all under contract, and large quantities of iron had been delivered. He showed the advantages of the harbor of Beaufort. The attention of the people of the State had been directed to the port of Beaufort for 25 years; and it was shown that its waters were not only deep, but the harbor safe and convenient of access. If this bill was defeated it would be a large loss to his constituents. The larger portion of the stock was subscribed, and the former charter secured, and if this bill was rejected, it would cause a great loss to them.

Mr. Sanders came to the Senate with the intention to vote for the eastern extension, but circumstances had arisen which would force him to a different course. The Democratic convention had pledged the party to a prudent and judicious system of internal improvement. He contended that the course pursued by the Legislature was neither prudent nor judicious.

The bill passed its second reading, as follows:

AYES—Messrs. Ashe, Biggs, Boyd, Brogden, Cherry, Christian, Coleman, Cunningham, Davis, Drake, Eaton, Faison, Fennell, Fisher, Fonville, Freeman, Gilmer, Graham, Graves, Haughton, Herring, Hoke, Jones, Lane, Mitchell, Morisey, Oldfield, Rayner, Speight, Taylor, Taylor, J. W. Thomas, W. H. Thomas, Walker, Wilder, Wood.—Ayes 35.

NOES—Messrs Bower, Clarke, Collins, Elorn, McClesse, McDowell, Person, Sanders, Wiggins, Willey.—Noes 10.

When it was referred to the committee on Judiciary.

The bill to amend an act passed in 1846-7 entitled an act to incorporate the town of Statesville, was read the third time and passed.

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

The Senate then took a recess.

AFTERNOON SESSION.

Mr. Thomas, of Jackson, introduced several bills which were read by their titles and appropriately referred.

The bill to open Uwharrie River for the free passage of fish, was read the second and third times and passed.

The bill to establish a bank in Wilmington, N. C., was read the second time and laid on the table.

The resolution concerning the Seaboard and Roanoke Railroad, passed its second reading.

The bill for the protection of sheep was read the third time and passed.

The bill to repeal an act of 1848-'9, chap. 143, (relative to fishing on the Roanoke,) was read the third time and passed.

The Senate adjourned.

HOUSE OF COMMONS.

After reading the Journal,

Mr. J. H. White asked leave to change his vote on the Revenue bill. Objections were raised.

Messrs. J. M. Leach and Outlaw asked leave to record their votes for the Revenue bill. Objection was raised and a discussion arose thereon. The applications were withdrawn by Messrs. Leach and Outlaw.

Mr. White pressed his claims as did *Mr.* Martin. On motion of Mr. Winston, the application was laid on the table.

Mr. Craven moved to suspend the rules in order to take up a bill. Refused.

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

Mr. Gorrell from the committee on adjournment reported that the committee can fix on no day for adjournment. He presented a resolution proposing to hold night sessions after to day. Adopted.

Mr. Amis moved to suspend rules in order to take up the engrossed bill chartering the Dan River and Yadkin railroad.

Mr. Outlaw moved to amend by taking up Senate bills on their second reading.

Mr. Jones moved to lay on the table. Lost.

Mr. Outlaw withdrew his amendment.

The question arising on the suspension of the rules, the House refused.

Mr. Jones offered a resolution concerning the Revenue. On motion of Mr. Cook, the resolution was laid on the table.

Mr. Jenkins, from the committee on education, reported on the bill concerning the Board of Literature and recommended its passage.

On motion of Mr. J. G. Bynum, the bill and report was ordered to be printed.

Mr. J. G. Bynum introduced a resolution of instructions to the committee on the Judiciary, which was adopted.

Mr. Phillips introduced a bill chartering the Chapel Hill and Durhamsville plankroad.

Mr. Cook introduced a bill concerning a public road in Wilkes, which was referred to the committee on Grievances.

Mr. L. Whitfield introduced a bill incorporating the town of Whitehall in Wayne, which was referred to the committee on Corporations.

Mr. Humphrey introduced a resolution proposing that at evening sessions only bills, on their first reading and private bills shall be considered. Lies over one day.

Mr. Badham introduced a bill amending the Act incorporating the town of Edenton.

Mr. J. H. White introduced a bill changing the time of holding Superior courts.

Mr. T. H. Williams moved that the House resolve itself into committee of the whole on Banks.

Mr. Love moved to lay on the table, which prevailed.

A motion was made and prevailed to make Free Suffrage the special order of this day, 3½ o'clock.

The bill chartering the Western railroad, coming up under special order, *Mr. Jarvis* moved to lay it on the table.

Mr. Jarvis withdrew, and *Mr.* Singeltary moved to lay on table in order to take up certain bills from the Senate, and on this he called the ayes and noes.

Mr. Baxter called for a division of the question—on laying on the table. The motion was rejected.

The bill was then read the second time.

Mr. J. M. Leach moved to amend the bill by striking out Salisbury and insert Lexington, and supported the amendment at some length.

Mr. McKesson opposed the amendment. He instanced the large number of Western counties favorable to Salisbury as the terminus on the East. He alluded to the cost of bridging the Yadkin river in case Lexington was made the terminus. He said he felt safe in saying that if Salisbury was made the terminus, the county of Burke would subscribe liberally, but if Lexington was chosen he was not sure a dollar would be subscribed.

Mr. Patterson made some remarks on the amendment in the course of which he said he was not aware how his friend from Burke, (Mr. McKesson,) should know how he stood in regard to the two points.

Mr. McKesson replied, by the best authority.

Mr. Sharpe opposed the amendment at some length. He was in favor of Salisbury being made the Eastern terminus. Before he concluded his remarks the hour for recess arrived and the House arose.

AFTERNOON SESSION.

House called to order at 3½ P. M.

Mr. Sharpe claimed the floor, and the Speaker decided he was entitled to the same.

Mr. Singeltary proposed a compromise, to take up Free Suffrage of afternoons and the Western Extension of mornings.

A motion was made by Mr. Outlaw to postpone the special order, Free Suffrage, until to-morrow at half-past 11.

Mr. Waugh moved to lay the motion on the table, which was lost.

The question recurring on the motion to postpone it prevailed.

Mr. Sharpe continued his remarks on the Western Extension. He was interrupted by Mr. Martin who desired to say something concerning his vote on the Revenue bill. Mr. Sharpe gave way for a few minutes, during which time Mr. Martin assigned some reasons why he voted as he did on the Revenue bill. Mr. Sharpe claimed the floor, saying he did not give way for the gentleman from Franklin to make a speech. He commenced his remarks again, and was again interrupted by Mr. Martin. The Speaker called Mr. Martin to order and desired him to take his seat. Mr. Sharpe then continued his remarks in opposition to the amendment of Mr. J. M. Leach, at some length.

Mr. J. M. Leach replied to the arguments of *Mr.* Sharpe, at considerable length.

Mr. McKesson replied to Mr. Leach. He alluded to the receipts already being had on that portion of the N. C. road in operation. He spoke of the high prices paid for hauling flour, &c., from the county of Burke to Charlotte; and in event that section of country was connected with Beaufort immense amounts of produce would find a market there that is now sold without the borders of the State.

Mr. Barringer submitted a few remarks favorable to Salisbury being made the Eastern terminus.

Mr. Mebane said he had but few acquaintances in Salisbury and still fewer in Lexington—hence, he was free from anything like local prejudices. We are called upon, said he, to fix upon a route for a great Western railroad; a railroad he intended to vote for, be the terminus at Lexington or Salisbury. He thought every member should vote for that route which his judgment taught him would be the most conducive to the interests of the N. C. Road. He thought no route should be adopted without an actual survey. He thought, under the circumstances, the Legislature was left in the dark. He came prepared to vote for one Western Extension but not for two; one western extension had already been made by extending the Wilmington and Charlotte road to Rutherfordton. He had reserved his vote for the present Western extension, after the amendment of Mr. Bynum to the Wilmington and Charlotte road had been adopted.

Mr. A. H. Caldwell supported the terminus at Salisbury.

The question arising on Mr Leach's amendment to strike Salisbury and insert Lexington, the amendment was rejected—ayes, 32; nays, 66.

Mr. Jordan moved a proviso to the bill that the State shall not subscribe more than $800,000 until further Legislation is had.

The amendment was opposed by Messrs. Patterson and McKesson. They both argued that it would clog the bill and have the effect to kill it.

Mr. Jordan withdrew the amendment.

Mr. Patterson moved to amend by giving future Legislatures liberty of connecting other roads with it, which was adopted.

The bill was further amended on motion of Mr. A. H. Caldwell and Mr. Patterson.

Mr. Martin moved an adjournment, which was lost.

Mr. Leach offered an amendment providing that said road shall run as near Statesville as possible, which was adopted.

Mr. Bogle moved to amend by inserting Taylorsville as one of the points by which the road shall run.

A discussion arose upon the amendment which was continued up till the hour for recess.

NIGHT SESSION.

House called to order at 7 P. M.

The bill to charter the Western Extension of the North Carolina Railroad was taken up.

The question arose on the amendment offered by Mr. Bogle to run the road by Taylorsville.

It was debated at some length.

Mr. Mebane moved an amendment to the amendment by saying, "by or as near as practicable," which was accepted by *Mr.* Bogle.

The question arising on the amendment, the ayes and nays were called, and the amendment was rejected—ayes 38, nays 63.

The bill was further discussed, and on motion of *Mr.* Outlaw, the House adjourned.

SENATE.

Jan. 31st. 1855.

Mr. Lane obtained leave to change his vote on the bill to incorporate the Beaufort, Fayetteville and Greensboro Railroad.

Mr. McDowell offered a resolution that a message be sent to the House of Commons proposing to adjourn on the 12th of February which was adopted.

Mr. Rayner introduced a resolution in favor of A. J. Perry, which passed its first reading, but was rejected on its second reading.

On motion of Mr. Coleman, the Senate took up the bill to incorporate the Greenville and French Broad Railroad Company.

Mr. Coleman explained the provisions of the bill, and advocated its passage.

Mr. Thomas, of Jackson, opposed the passage of the bill. He contended that if this bill was passed, it would be an end to internal improvements in western North Carolina. He compared the different routes proposed, and endeavored to show that this project would cut off the head of improvement in the State. It would transfer Western Carolina to South Carolina. Mr. T discussed this whole question at considerable length.

Mr. Thomas moved to postpone till to-morrow at 10 o'clock, which motion prevailed.

The bill to incorporate the Wilmington and Charlotte Railroad Company, was then taken up.

The bill was advocated by Messrs Ashe and Morisey.

The bill passed its second reading as follows.

Ayes.—Messrs. Ashe, Bower, Boyd, Cherry, Christian, Coleman, Cunningham, Davis, Faison, Fennell, Fisher, Freeman, Gilmer, Graham, Graves, Haughton, Herring, Hoke, Jones, Lane, McDowell, Mills, Mitchell, Morisey, Oldfield, Speight, Taylor, Taylor, J. W. Thomas, W. H. Thomas, Walker, Wood, 32.

Noes.—Messrs. Biggs, Brogden, Collins, Drake, Eaton, Elorn, Martin, Person, Rayner, Sanders, Wilder, Wiggins, Willey, 13.

The Senate took recess.

AFTERNOON SESSION.

The engrossed bill from the House concerning the revenue, was read the first time.

The bill to provide for a more equitable valuation of lands, and that taxes shall be listed and paid the same year, was taken up, debated at some length and laid on the table.

A bill concerning hogs running at large in the streets of Elizabeth City in the county of Pasquotank, passed its second and third readings.

Several private bills and resolutions were passed.

Mr. Thomas, of Davidson, asked and obtained leave to change his vote on the bill to incorporate the Wilmington and Charlotte Railroad.

The Senate adjourned.

HOUSE OF COMMONS.

House met at 10 o'clock.

Mr. T. H. Williams presented a memorial concerning the Wilmington and Raleigh Railroad, which was referred to the committee on the Judiciary.

Mr. Holland presented a memorial praying for a new county to be taken from Rutherford and Cleaveland, which was referred to the Committee on Grievances.

Mr. Barringer reported from the committee on the Judiciary on a bill to prevent the fraudulent issue of stock of incorporate companies; that, as the provisions of the bill are now incorporated in the Revised Statutes and that the act is, therefore, unnecessary. He, therefore, moved the postponement of the bill until the 3d Monday in November, 1877, which prevailed.

Mr. Dortch, from the committee on the Judiciary, reported favorably upon the bill to cede to the United States a light house site near Wilmington.

Mr. T. H. Williams, from the committee on Education, reported several amendments to the Common School Act.

On motion, the bill concerning the Literary Fund and Common Schools was taken up, and the amendments of the Committee adopted.

Mr. Phillips moved to amend the bill so as to provide for distribution of the Fund according to the White basis.

On motion of *Mr.* Singeltary, the bill and amendments were laid on the table.

Mr. G. Green introduced a resolution concerning the survey of Beaufort harbor, which was adopted.

Mr. Singeltary introduced a resolution protesting against the Revenue bill as passed by the House, and setting forth that the taxes therein imposed are onerous and unjust, &c.

Mr. S. A. Williams moved to lay on the table.

Mr. Singeltary called the ayes and nays.

The motion to lay on the table prevailed—ayes, 78; nays, 25.

Mr. Singeltary moved to take up the resolution just laid on the table.

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

Mr. Singeltary again moved to take up the resolution.

Mr. Dortch again moved to lay the motion on the table, and stated he did so to save time.

Mr. Singeltary called the ayes and nays. The motion prevailed—ayes, 76; nays, 26.

Those who voted in the negative are: Messrs. Badham, A. Barnes, J. Barnes, Blow, Bryant, Causler, Cofield, Cotten, Daniel, Daughtry, Harrison, Jones, Long, Martin, Myers, Oglesby, Rose, Sherrill, Singeltary, Tomlinson, Watts, Waugh, Whitaker, G. M. White, Whitlock, and C. W. Williams—26.

Mr. Martin asked leave to change his vote on the Revenue bill, which was objected to.

Mr. Martin commenced making some remarks and was called to order by the Speaker.

The resolution offered yesterday prescribing the schedule of business for evening sessions was adopted.

Mr. Vance introduced a resolution in favor of N. W. Woodfin and R. V. Blackstock, which passed its third reading under suspension of rules.

Mr. Perkins introduced a resolution providing that after Thursday next no bill shall be introduced. Lies over one day.

Mr. Hill introduced a resolution providing that hereafter no member shall speak more than fifteen minutes, except by consent of the House.—Lies over one day.

Received from the Senate a message proposing to adjourn the two Houses *sine die* on the 12th of February, which, on motion of Mr. Baxter, was laid on the table.

On motion of *Mr.* Jenkins, Free Suffrage was taken up and the bill read the second time.

Mr. Outlaw submitted a substitute for the bill and proceeded to address the House. The substitute provides for a Convention, limited only as regards the basis of representation.

The subject was debated at some length.

An amendment was offered to the amendment providing that a convention shall be called "two thirds of the House concurring." This amendment was adopted.

The question arising on the adoption of the amendment of Mr. Outlaw, Mr. Carmichael introduced an amendment providing for a free and unlimited Convention, which was lost—ayes, 32, nays, 68.

The question again recurring on amendment of Mr. Outlaw, a division of the question was called and the House refused to strike out.

Mr Cook moved to amend by providing that no unnaturalized foreigner, [illegible] foreigner or resident of this or any other State, shall be entitled to vote for Senator or members of the House of Commons, which was rejected—ayes, 46; nays, 62.

Mr. Jones moved a similar amendment by providing that nothing contained in the bill shall be so construed as to permit unnaturalized foreigners to vote for members of the House of Commons, which was rejected—ayes, 52; nays, 58.

The bill was then passed the second time—ayes, 93; nays, 15.

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

The House then took a recess.

AFTERNOON SESSION.

House met at 3 P. M.

The bill chartering the Western extension was taken up.

The question arose on an amendment offered by Mr. Singeltary providing that the capital stock of the company shall not be increased unless authorized by a future Legislature.

A debate arose. Mr. Outlaw spoke at some length in opposition to what he termed reckless appropriation of public funds. He concluded his remarks by moving to recommit the bill to the committee on Internal Improvement with instructions to amend the bill.

Mr. Shepherd said he was prepared to vote for the Western extension. He came to the Legislature prepared to vote for the completion of the road. He said the road never had nor never would be of any material benefit to the county he represented; on the contrary it had been a curse, yet he should vote for it as he had been sent here with that understanding. In all such works some portions of the State must suffer. Unfortunately, in this case, Cumberland was the sufferer, yet he should regard his vote for the bill, be it in its present shape, or as it came from the Senate. He spoke of the amendment offered by the Senator from Wake; and thought the bill as it came to the House requiring the road to be finished by sections, he thought a most commendable provision. [This was the amendment offered by Mr. Haughton of Chatham.] He felt deep interest in this great state work which he regarded as worthy of the patronage of every member on the floor. Could he feel that it was his duty to legislate for his constituents alone he should be silent, but he felt that his duties were of a wider range. He asked who are those that raise the Macedonian cry—come over and help us? They are members of our own family, severed from us by nature and whom it is our duty to draw towards us with bonds of common hopes and common aspirations. Sir, it is notorious that the men of the West have at all times voted for the great works we pride ourself upon. They point to the record and cry come over and help us. He thought the work practicable and should be consummated. He alluded to the distance separating the East and the West and the existing barriers to a free intercourse between the two. For one, he was willing to do all in his power to bring those extremes together and recognize the Western men as brothers—members of the same great family. Bind, Sir, the East and West together by a strong chain such as the proposed road—do this and you visit both extremes with a great moral blessing, that cannot be measured by mere dollars and cents.

Mr. McKesson returned his thanks to the gentleman from Cumberland for the aid he had given the bill. He felt great solicitude for the bill; and appealed to the members from the east to aid in the passage of the bill. He invoked a burial of old party prejudices and a union of hearts and hands to consummate this great work. He invoked the Legislature to bring the west into communication with the east. He thought the bill was not a western but a *State* proposition. He said let the work be completed and the swift cars like the eagle will fly among the mountain cliffs that are tipped by sun and clouds.

The supposed taxation was not so great as some seemed to think; for the increased value of the land along the route would be no inconsiderable source of revenue. He said, open the avenue and the eastern markets would be crowded by the products of the interior and west; and the road, when completed, would be the golden pathway over which our people will pass on to riches and to honor.

Mr. Phillips was a friend of the road. He thought there were some imperfections in the bill that ought to be remedied. He would prefer the bill should be referred to a committee with instructions to perfect it.

Mr. Gorrell addressed the House on the bill in its infancy. He thought the west; and, indeed the State at large, expected the road to be chartered; and thought there was no danger in the State pledging two dollars for every one subscribed by individuals to works of Internal Improvement. If he was a political aspirant he would stake his political life on the subject. He said the State was engaged in a war. True it was not such a war as was now raging in the Crimea and on the plains of the Alma, but the effect it would have upon our people was as decided as was that upon the eastern belligerents. Ours was a bloodless war, a giant struggle between States. Virginia and indeed all the Atlantic States were reaching out their hands to grasp the riches of the *Mississippi* Valley. He thought that millions spent in securing that trade would be a safe and profitable investment.

Mr. Outlaw again addressed the House. He instanced the works in other States, and thought the proposed improvement in this State was the most magnificent, if not the wildest ever attempted.—He expressed himself as favorable to Internal Improvements; but he thought the reckless manner in which the Legislature was acting would prejudice the people against the system until it would be disgusting in the public nostrils and bury it so deep that the hand of resurrection would never reach it.

A desultory debate arose on the question of reference.

The motion was withdrawn.

The hour for recess then arrived, and the House arose.

House met at 7 P. M.

The following Engrossed bills from the Senate were read the first time:

A bill concerning the Fayetteville and Centre Plankroad.

Also, concerning a Ship Canal to connect the waters of Currituck and Pamlico Sounds with Chesapeake Bay.

Also, concerning the New River Navigation Company.

Also, authorizing the Cape Fear and Deep River Navigation Company to issue bonds, and for other purposes.

Also, for the completion of the North Carolina Railroad.

Also, concerning the Dan River and Yadkin Railroad.

Also, concerning the erection of a Monument on Independence Square, Philadelphia.

Also, concerning the Fayetteville and Greensboro' Railroad.

Also, concerning the Mocksville and Wilkesboro Railroad.

Also, to re-charter the Bank of Cape Fear.

Also, to charter the Bank of Clarendon, in the town of Fayetteville.

Also, for the completion, enclosing and furnishing the Lunatic Asylum.

A message was received from the Senate informing of a concurrence to the amendment of the House to the bill concerning evidence. The House concurred in the message.

A number of the Revised Statutes were read the first, second and third times and passed.

An Engrossed resolution in favor of Walter Gwynn, Esq., was read the first time.

A message was received from the Senate informing that that body disagrees to the amendment of the House to the bill concerning Usury.

Mr. Jenkins moved that the House recede.

Mr. J. G. Bynum moved to lay on the table.

A desultory debate arose.

The Chair gave notice that he would withdraw the bill.

Mr. Jenkins moved to suspend the rules in order to act on the bill, which prevailed.

The question then arose on receding from the amendment. Mr. J. G. Bynum called the ayes and nays. The motion to recede prevailed—ayes, 52; nays, 18.

An Engrossed bill to prevent the obstruction of fish up Blount's Creek was read the first time.

Also, concerning the Chapel Hill Plankroad.

Also, concerning the town of Wilson.

Also, a bill supplementary to an act to establishing Polk county.

Also, concerning New Institute in Iredell county.

Also, incorporating the Clinton Lodge of Masons.

Also, incorporating the Newbern Insurance Company.

Mr. Waugh moved an adjournment. Lost.

The House concurred in the amendment to the bills concerning the Chapel Hill Plankroad, and for the free passage of fish in Blounts Creek.

Mr. J. G. Bynum moved an adjournment.—Lost.

An Engrossed bill to loan Clinton Female Institute $3,000 from the Literary Fund was read the first time.

Also, authorizing the erection of a toll bridge across Roanoke.

Also, concerning the Thomasville & Clemmonsville Plankroad Company.

On motion the House adjourned.

SENATE.

February 1, 1855.

Mr. Biggs introduced a bill to incorporate the Hamilton and Enfield Plank Road Company, which was read three times and passed.

Mr. Thomas, of Jackson: a bill to provide for the continuance of the survey for a Railroad west of the French Broad to the Tennessee line, near Duck Town Copper Mines. Read first time.

Mr. Faison, a bill to incorporate the Baptist Church Extension Society. Passed first reading.

The resolution offered by Mr. Hoke, that a motion to lay on the table shall not be debatable, was adopted.

The bill to incorporate the Indian Grave Gap Turnpike Company was read the second and third times and passed.

The resolution concerning a Marine Hospital was read the second time, amended and laid on the table.

The motion heretofore made to reconsider the vote, by which the bill to divide the State into eight judicial circuits was lost, was taken up and the vote reconsidered.

Mr. Rayner moved its indefinite postponement, which was lost by Ayes 21, Noes 24.

Several amendments were offered and rejected, when Mr. Thomas, of Davidson, moved to postpone till the 4th of March. The bill was postponed by Ayes 25; Noes 20.

The special order, the bill to incorporate the Greenville and French Broad Railroad Company, was taken up.

Pending the consideration of the bill, the Senate took a recess.

AFTERNOON SESSION.

Several Revised Statutes were read the second and third times.

The bill to incorporate the Little River Turnpike Company was read the second time and passed.

Also, the bill to incorporate the Dan River Navigation Company.

The bill to incorporate the Greenville and French Broad Railroad Company was taken up.

The amendment offered by Mr. Thomas, of Jackson, that the road shall be built with the same guage as the North Carolina Railroad, was rejected.

Mr. Thomas also offered an amendment that the road be built across the Reedy Patch Gap, which was rejected by Ayes 4, Noes 24.

Mr. Thomas also offered an amendment prohibiting the building of this road until the North Carolina Railroad shall be extended to the French Broad valley, which was rejected by Ayes 2—Noes 28.

Mr. Thomas gave notice that he should file his protest.

The bill passed its second reading, as follows:

AYES—Messrs. Ashe, Biggs, Bower, Cherry, Coleman, Cunningham, Drake, Eaton, Faison, Fennell, Fisher, Gilmer, Haughton, Herring, Hoke, Jones, McClesse, McDowell, Martin, Mills, Mitchell, *Morisey*, Person, Rayner, Taylor, J. W. Thomas, Wilder, Wood—28.

NOES—Messrs. Brogden, Collins, Lane, Oldfield, Sanders, W. H. Thomas, Wiggins—7.

On motion of Mr. Cherry, the Senate took up the bill to recharter the Bank of the State of North Carolina.

Pending its consideration, the Senate adjourned.

HOUSE OF COMMONS.

House called to order at 10 A. M.

Mr. J. H. Headen moved to make the bill concerning the Cape Fear and Deep River Navigation Company the special order of to-morrow at 12 o'clock, which prevailed.

On motion of Mr. Dortch the bill for the completion of the N. C. railroad was made the special order of to day—3 P. M.

On motion of Mr. Smith, the bill for the construction of a Ship Canal was made the special order of Saturday at 12 o'clock.

On motion of Mr. Shepherd, the bill concerning the Fayetteville and Centre plankroad was made the order of Saturday, 3 P. M.

On motion of Mr. Carmichael, the bill concerning the Mocksville and Wilkesboro plankroad was made the special order of Monday 11 o'clock.

On motion of Mr. Humphrey, the bill concerning the New River Navigation Company was made the special order of to-morrow.

Mr. D. F. Caldwell moved to refer the bill to recharter the Bank of Cape Fear and to charter the Bank of Clarendon to the committee of the whole on Banks.

After being debated, Mr. Caldwell withdrew his motion.

Mr. Amis moved to make the bill concerning the Dan River and Yadkin railroad the special order of today 11½ o'clock. Adopted.

Mr. Singeltary renewed the motion withdrawn by Mr. D. F. Caldwell to refer the bills concerning the Bank of Cape Fear and the Bank of Clarendon to the committee of the whole.

Mr. Myers moved to lay the motion for reference on the table. Refused.

The bills were then referred to the committee of the whole; also, the bill chartering the Bank of Charlotte.

Mr. Gentry moved to make the bill for the establishment of Alleghany county a special order. Lost.

Received from the Treasurer a communication informing of the amount drawn from the Treasury to defray the expenses of Geological Survey; and concerning the State Bonds.

The committee on Corporations, through Mr. Steele, reported in favor of the bills incorporating the Warsaw High School; and the town of Whitehall.

Mr. Jordan reported a bill from the committee on Swamp lands and recommended its passage.

Mr. Whitaker reported from the committee on claims in favor of Mr. Delmain, of Granville.

Mr. Amis moved to suspend the rules and place the resolution on its second reading. Refused.

Mr. Waugh reported a number of bills and memorials from the committee on Grievances.

Mr. Singeltary moved that the committee of the whole be instructed to report the various Bankbills before them back to the House, which was rejected.

Mr. Patterson introduced a resolution of instructions to the committee of Finance, which was adopted.

The resolution of yesterday providing that no bill shall be introduced after Thursday, 8th inst, was adopted. Also, restricting member of fifteen minutes in debate.

Mr. Sharpe introduced a bill concerning the county Courts of Iredell and the collection of taxes in said county.

Mr. Sharpe moved to suspend the rules to place the bill on its second reading. Refused.

Mr. Turner introduced a bill incorporating a Mine under the direction of Wm. H. Walder and others.

The Western extension bill was taken up as the unfinished business of yesterday. The question arose on Mr. Singeltary's amendment, providing that the capital stock shall not be increased unless further legislation is had.

Mr. Singeltary moved to refer the bill to the committee on the Judiciary. Lost.

The question then arose on Mr. Singeltary's motion to amend by providing that further appropriation shall not be made without further legislation. The amendment was rejected—ayes, 51; nays, 60.

The bill then passed its second reading as follows:—

AYES: Messrs. Amis, Barringer, Baxter, Black, Bogle, Bryson, J. G. Bynum, A. H. Caldwell, D. F. Caldwell, Causler, Carmichael, Chadwick, Cofield, Cook, Dunn, Flynt, Furr, Garland, Gorrell, G. Green, M. Green, Grist, J. H. Headen, Hill, Holland, Horton, Houston, Humphreys, Jarvis, Johnson, Jones, Jordan, Hugh Leach, Love, McDuffie, McKesson, McMillan, Meares, Mebane, Mordecai, Myers, S. J. Neal, Norment, Oglesby, Parks, Patterson, Patton, Phillips, Rand, Regan, Rolen, Rose, Russell, Sharpe, Shepherd, Sherrill, Shipp, Simmons, Steele, Sutton, Turner, Vance, Waugh, Whitaker, G. M. White, N. B. Whitfield, Wilkins, B. F. Williams, T. H. Williams, Wright and Yancy.—71.

NAYS: Messrs. Badham, A. Barnes, J. Barnes, Blow, Bryant, Bullock, J. B. Bynum, Cotten, Craven, Daniel, Daughtry, Dunn, Eure, Gentry, Gilliam, Harrison, Jenkins, Long, Mann, Martin, J. W. Neal, Outlaw, Selby, Settle, Shaw, Singeltary, Smallwood, Smith, Stubbs, Thornburg, Tomlinson, Watts, L. Whitfield, Whitlock, C. W. Williams, D. Williams, S. A. Williams and Winston.—38.

A bill for the establishment of a Scientific and Military School passed its second reading.

An engrossed bill chartering the Dan River and Yadkin Railroad was read the second time.

Mr. Amis addressed the House in behalf of the bill. He argued that the road would pay a remunerating dividend.

Mr. Phillips opposed the bill. He argued that if the fact of its being a paying road was placed beyond a doubt, there were individuals enough on the line to take the stock. He spoke of the facilities already possessed by the counties through which the proposed road was to pass in Dan and Roanoke rivers. He was called down by the Speaker under the fifteen minutes resolution.

Mr. Amis again addressed the house. He was called down, as the rule ordered no one should speak more than fifteen minutes on the same *subject*.

A desultory debate arose upon it.

On motion, the bill under consideration was laid on the table.

Mr. Jenkins moved to reconsider the vote adopting the resolution. Carried.

On motion of Mr. Barringer the resolution was laid on the table.

On motion the bill concerning the Dan River road was taken up, and Mr. Amis continued his remarks up to the hour for recess.

AFTERNOON SESSION.

House called to order at 3 P. M.

Mr. Humphrey moved to make the Fayetteville and Greensboro Railroad the special order for Friday, 11 o'clock, A. M., which prevailed.

The unfinished business of the morning, being the Dan River and Yadkin Railroad, was called up by the Speaker.

Mr. Outlaw, in order to get a direct vote upon the merits of the bill, moved the indefinite postponement of the bill, which motion was opposed by J. W. Neal, at some length. Mr. Neal presented the claims of the bill and addressed the House in its behalf, setting forth the advantages both public and private, that would accrue from its passage.

Mr. Winston said he proposed for a few minutes to examine the bill under consideration.—Mr. Speaker, the time will soon be here when we shall return to our constituency and become of the people and with the people. We shall soon be dissolved of our powers. I came here, Mr. Speaker, a moderate internal improvement man, but he had been scared from his propriety by the reckless spirit that had prevailed. Sir, if we of the east were to come and ask for a railroad, we would be greeted with a roar of laughter; and sir, the counties designed to be traversed by the proposed road likewise, already had modes of transportation. They have the Dan River; and, indeed, to use a homely phrase, a horncap scarcely be blown, especially in the county of Granville, that would not be in hearing of some facility for transportation. Three-fourths of the counties, sir, are in a worse condition than Granville in this respect. If I had been delegated to select a locality for a railroad, Granville would be one of the last counties I would have gone to—I should have first rambled all over the State. It has been said that if this road is not chartered another road would be built that would carry the produce out of the State. He spoke of the debt that would exist to meet the liabilities of the State, incurred for internal improvements—that it would be near eight millions of dollars. He spoke of Fayetteville, that was once the Liverpool of the State, it was now Fayetteville no more, made so by Internal Improvements. Look sir, at the constituency represented on this floor. They are, for the most part, poor people, and he remarked it with no disrespect. The proposition was to tax every voter to an enormous amount, and the people were not prepared for it. This wild, headlong, and extravagant system will overturn every man that favors it, and prejudice the public against internal improvement to a fatal extent. The Central road alone should be kept in view, which was the great work of the State.

Mr. Settle addressed the House in behalf of the scheme. He presented the resources buried in the coal fields of Rockingham, and thought no other State in the Union would suffer the wealth there buried to lie in idleness. He was for free trade, and should vote for cross charters whenever presented—it was the true doctrine.

Mr. D. F. Caldwell said that no portion of the State was so much favored by Nature as the County which this road was to pass, and if so the House should hesitate long before it granted the charter as it would tend to swell the interests of the State at large and the works she was already engaged in. He alluded to the difficulties under which the Central road was chartered and paid a high tribute to Calvin Graves and others. He said little had been heard of Calvin Graves since he gave that vote, and from that he judged that internal improvements were unpopular in Caswell He was at a loss to understand how gentlemen would come forward and ask for an appropriation to build this road when they were voting against the great work that proposed to extend to those in the west who were hundreds of miles from market, and destined to bring the east and west into closer and more fraternal union. He said that when the Central road was before the Legislature the members from the counties in question were arrayed as one man against it, and now the same spirit was manifested by the same counties against the Western Extension. He said in a political aspect the counties had had their share. You, sir, said he, are honored with the Speakership; Rockingham has the public Treasurer, State Solicitor and recently had the Governor and now the United States Senator; one of the counties had the Chief Clerk in the Senate, and another the Engrossing Clerk, Person has the Comptroller, and, indeed, there was scarcely any end to the blessings that had been granted them; and he was surprised that their modesty did not forbid them to ask for more. He hoped the bill would not pass.

Mr. Bullock replied and presented the claims of the bill. He argued that the facilities were not as great as had been presented. He said that Virginia had done more for him and his section than had North Carolina. He thought it very unjust that the gentleman from Guilford should show such opposition to the bill.

Mr. Caldwell replied at some length.

Mr. Outlaw withdrew the motion for an indefinite postponement.

Mr. Amis again addressed the House. In reply to the arguments of Mr. Winston he alluded to the proposed Ship Canal. He thought the proposed road was worthy of the patronage of the Legislature. He argued that the resources of the district to be traversed being great, the facilities of transportation should be equally great. He said the work would be a paying work.

The question called on its second reading, and the bill was rejected, as follows;

AYES.—Messrs. Amis, Baxter, Bogle, Bryson, Bullock, J. G. Bynum, A. H. Caldwell, Causler, Carmichael, Cofield, Cook, Flynt, Garland, G. Green, M. Green, A. D. Headen, J. H. Headen, Hill, Horton, Humphrey, Jarvis, J. M. Leach, Long, McDuffie, McKesson, J. W. Neal, Norment, Regan, Rolen, Settle, Shaw, Sherrill, Steele, Vance, Waugh, Wilkins, C. W. Williams and Yancy.—38.

NAYS.—Messrs. Badham, A. Barnes, J. Barnes, Barringer Black, Blow, Bryant, J. B. Bynum, D. F. Caldwell, Craven, Daniel, Daughtry, Dortch, Dunn, Furr, Gilliam, Gorrell, Grist, Holland, Houston, Jenkins, Johnson, Jones, Jordan, Hugh Leach, Love, Mann, Marsh, Martin, Meare, Mebane, Mordecai, Myers, S. J. Neal, Outlaw, Patterson, Perkins, Phillips, Rand, Rose, Selby, Sharp, Shipp, Simmons, Singeltary, Smallwood, Smith, Stubbs, Sutton, Thornburg, Tomlinson, Turner, Watts, Whitaker, G. M. White, J. H. White, L. Whitfield, N. B. Whitfield, Whitlock, B. F. Williams, S. A. Williams, T. H. Williams and Winston—63.

The bill for the completion of the N. C. Railroad was read the second time, and discussion arose which continued till hour for recess.

NIGHT SESSION.

House met a 7. M.

Mr. S. A. Williams moved a call of the House, which was refused.

On motion the rules were suspended to take up a bill to bring into market the Cherokee lands; and a bill for the relief of citizens of Iredell.

The former bill was read the second time, and a discussion arose between Messrs. Baxter and Rolen.

Mr. Bryson moved to strike out Jackson from the provisions of the bill.

Mr. Jenkins moved to lay on the table. Lost.

The amendment of Mr. Bryson was lost.

The bill then passed its second reading.

On motion of Mr. Rolen the bill was referred to Mr. Baxter, as a committee, with instructions to perfect the bill.

The bill in relation to the taxes of Iredell county, was read the second and third times and passed.

An engrossed bill incorporating the Randolph and Thomasville plankroad company was read the second and third times and passed.

A bill incorporating the Central Gold and Copper Mine was read the second time, discussed at considerable length and passed. It was read the third time and passed.

Mr. G. Green moved an adjournment, which was lost.

A bill concerning the inspection of flour at Fayetteville was read the second time and passed.

Mr. A. H. Caldwell moved an adjournment.—Lost.

The bill above was read the third time and passed.

Mr. Singeltary moved an adjournment. Lost.

A bill authorizing the late sheriff of Caldwell to collect arrears of taxes passed its second reading.

Read the third time and a discussion arose upon it.

Mr. Singeltary called the ayes and nays, and the bill was rejected.

On motion of Mr. Mebane, leave of absence was granted *Mr.* Thornburg for ten days.

On motion of Mr. A. D. Headen, the House adjourned.

SENATE.

February 2, 1855.

Mr. Walker introduced a memorial, accompanied by a bill to prohibit the trading with slaves in the county of Mecklenburg. Referred.

Mr. Ashe, a bill concerning salaries of the Judges of the Superior Courts.

The bill to recharter the Bank of the State of North Carolina, was taken up, and after considerable discussion, it passed its second reading.

Mr. Haughton introduced a bill concerning the registration of deeds, which was read three times and passed.

Mr. Cunningham, a bill supplemental to an act passed at the present session of the General Assembly incorporating the town of Roxboro in the county of Person. Read three times and passed.

The special order—the bill concerning the salaries of certain officers—was taken up on its second reading.

Mr. Ashe offered as an amendment, the bill heretofore presented by him concerning the salaries of the Superior Court Judges, which was adopted.

The bill then passed its second reading.

The bill to charter the Bank of Wilmington was taken up, and passed its second reading, by ayes, 24; noes, 12.

The resolutions concerning a Marine Hospital, coming up on their second reading,

After debate, the first three resolutions were rejected, and the remainder adopted.

Mr. Rayner offered as an amendment a resolution that the President and Directors of the Literary Fund loan $5,000 to the Seaman's Friend Society, which was rejected.

The bill to incorporate the Dan River Steam Navigation Company was read the third time and passed.

The Senate then took a recess.

AFTERNOON SESSION.

Mr. Biggs from the committee on the Revisal, reported a bill concerning the Revised Code which was read three times, and passed. [this is the last of the Revisal, and provides for the publication and distribution of the Revised Code.]

The bill to lay off and establish a new county by the name of Wilson, was read the second time and passed by Ayes 30—Noes 4. It was also read the third time and passed.

The bill making provision for the reduction of the public debt, was read the third time and passed.

The bill to authorize the President and Directors of the Literary Board to appoint an agent of Swamp Lands, was read the third time, amended and passed.

The bill to incorporate the Little River Turnpike Company, passed its third reading.

The Senate disagreed to the amendment of the House of Commons to the chapter of the Revised code concerning agriculture and geology.

The resolution in favor of Robert Martin, was read the second and third times and passed.

The bill in favor of William M. Brooks of the county of Hyde, passed its second and third readings.

The bill to incorporate the Cape Fear and Waccamaw Canal and Lumber Company, passed its second reading.

Mr. Rayner introduced a bill to authorize the public treasurer to rent out the buildings on Burke Square in the city of Raleigh, which was read three times and passed.

The Senate then adjourned.