

and square timber, and Saw-mill lumber, with amendments. The amendments were concurred in, and the bill as amended, was read the second time and passed.

Mr. Sullivan presented a bill to appoint commissioners for the Town of Kennesville, in the county of Duplin; which was read the first time and passed.

Mr. Barringer presented a resolution in favor of Waller Freeman, together with a petition from many citizens of Raleigh and vicinity, in his behalf. Said resolution and petition were, on motion of Mr. H. referred to the committee on Propositions and Grievances.

Mr. Moore presented a bill to amend the Revised Statute, authorizing the draining of the Swamp Lands of this State, and to create a fund for common schools; which was read the first time and passed.

Mr. Doak presented a bill to amend the 73rd Chapter of the Revised Statutes entitled militia; which was read the first time, passed, and on motion of Mr. D. referred to the committee on Military Affairs.

Mr. Proctor presented a petition from sundry citizens of Pasquotank county, praying that restrictions may be imposed on the fisheries in Albemarle Sound and its waters. The petition was read and laid on the table.

Mr. J. P. Caldwell, from the Committee on Propositions and Grievances, reported unfavorably on the petition of sundry citizens of the town of Wilmington, praying an alteration in the mode of appointing inspectors, and asked to be discharged from the further consideration of the subject. The report was concurred in.

Messrs. Russel, F. Williams, D. A. Graham and Brannock, were appointed the committee on enrolled bills, the present week.

Mr. Spruill presented a bill to amend the Revised Statute, entitled an act concerning slaves and free persons of color; which was read the first time, passed, and referred to the committee on the Judiciary.

The bill for the relief of the Wilmington and Raleigh Rail Road, being under discussion, was, on motion of Mr. Hoke, as amended, as to make the amount borrowed on the faith of the State, payable in annual instalments of fifty thousand dollars each till all be paid.

Mr. Guthrie offered an amendment, prohibiting the Company from declaring any Dividend or Bonds until the debts contracted by virtue of this act shall have been discharged; and authorizing the Company to pay into the Treasury of the State, the whole or any part of the amount of debt so contracted; and on making such payment into the Treasury, to be forthwith absolved from all further liability for such amount of said debt so paid.

Here Mr. Guthrie made a question of order, whether a stockholder in said Company had a right, under the 19th Rule of Order, to vote on any question presented by this bill. The Speaker, after stating the Rule as follows, to-wit: "No person shall vote on any question in the event of which he is immediately and directly concerned," decided that no member who is a stockholder has such right to vote.

From this decision, Mr. Thompson appealed to the House; and the House sustained the Chair in its decision.

Mr. Biggs then offered an amendment, making the stockholders liable as securities to the State in their individual capacity, in proportion to the amount of stock held and owned by said stockholders.

This amendment was rejected by a vote of 53 to 44.

The bill was further amended on motion of Mr. Brogden, by adding the Governor of the State to the Attorney General, or Inspector of the Deed of Mortgage to be made by said Company for the benefit of the State.

The bill, as amended, was then passed by a vote of 53 to 52.

SENATE.

Tuesday, Dec. 22.

Mr. Averington presented a resolution to create a joint committee to report at what time the Legislature can adjourn sine die; which was read and rejected.

On motion of Mr. Moore, the Judiciary committee were instructed to inquire into the expediency of giving to one or three magistrates out of court jurisdiction over all plain and minor cases of assaults and batteries, with a specified fine, where the defendants plead guilty.

Mr. Dockery presented a resolution instructing the committee on Internal Improvements to inquire into the expediency of making an appropriation for a survey of Lumber river from South Carolina line to McFarland's Bridge, and a canal from said river, near Lambertson, the most eligible route to Cape Fear river; which was adopted.

Mr. Mays presented a resolution to send a message to the Commons proposing that the two Houses adjourn sine die on the 4th January; which was adopted.

The Yallico, and that the Engineer, in making his report, shall indicate what route is preferable on account of cheapness, directness and facility of construction; and whether there is material for paving said route throughout the entire length of the road, sufficiently abundant and durable.

Resolved, That said Engineer give an estimate in his report, as accurate as he can make it, what will be the cost of paving said road per mile; and what will be the expense of said road, if it is only graded; and in order to carry this resolution into effect; the sum of \$2,000 is hereby appropriated out of any monies in the Treasury.

After some discussion between Messrs. Waddell and Shepard, the resolutions and amendments were laid on the table.

The bill to compel militia captains to muster their companies four times a year, was rejected.

Mr. Mitchell presented a bill to amend the 53rd chapter of the Revised Statutes, concerning the Governor; which passed its first reading.

HOUSE OF COMMONS.

Mr. J. P. Caldwell presented a petition from sundry citizens of Iredell county, praying that a portion of said County be attached to the county of Wilkes. The petition was referred to the Members of the House of Commons representing the counties of Iredell and Wilkes.

On motion of Mr. McLaughlin, the committee on Military Affairs, were instructed to inquire whether any further legislation be necessary to effect an election of General Officers in the fifth division and fifth brigade of North Carolina Militia.

On motion of Mr. Monday, the Committee on the Judiciary were instructed to inquire into the expediency of so amending the Patrol law as to increase their pay, and to report by bill or otherwise.

Mr. Davis presented a Resolution in favor of John Davis, Sheriff of Lenoir county; which was read the first time, passed, and on his motion, referred to the Committee on Propositions and Grievances.

A communication was received from the Governor, transmitting a memorial on the subject of French Spoilage prior to 1801— together with sundry documents of Congress on that subject.

On motion of Mr. J. P. Caldwell, the communication and accompanying documents were sent to the Senate with a proposition that they be referred to a Joint Select Committee of five on the part of each House.

Mr. Poindexter from the Committee on Claims reported a resolution in favor of Geo. Little, which was read the first time and passed.

Mr. H. C. Jones presented a petition from sundry citizens of the counties of Surry, Wilkes and Iredell, praying the erection of a new county out of a portion of said counties, which, on motion of Mr. Boyden, was referred to the Committee on Propositions and Grievances.

Mr. J. P. Caldwell, from the Committee on the petition from Currituck county, relating to hunting and fishing on the unenclosed Marshes &c. The Committee were discharged from further consideration of the subject.

Mr. Boyden presented a bill to amend the Revised Statutes, entitled an Act concerning the appointment of Guardians and the management of Orphans and their estates, which was read the first time, passed, and on motion of Mr. B. referred to the Committee on the Judiciary.

Mr. Farrow presented a bill concerning the Superior Courts of Hyde, which was read the first time and passed.

The bill to lay off and establish a road down the Blue Ridge from the line of the county of Yancey to Turkey Creek in Burke County, was read the second time and passed.

Mr. Poindexter, from the Committee on Claims, reported a Resolution in favor of John J. Briggs, which was read the first time and passed.

Mr. Mendeshall presented a petition from the Wake Forest College asking a loan from the funds of the College, which on motion of Mr. M. was referred to the joint Committee on Education.

The bill to prevent the obstruction of fish passing up the Roanoke and Cashe Rivers and their waters—was taken up, considered, and on motion of Mr. Paine postponed indefinitely.

Mr. Guthrie offered the following: Resolved, That when this House adjourns, on Thursday next, it shall adjourn to meet on Monday at 10 o'clock—which was rejected.

Mr. Winston presented a bill to amend the limits of the Town of Wadesborough in Anson county, which was read the first time, passed, and on motion of Mr. W. referred to the committee on Proposition and Grievances.

Mr. Moore presented a bill to authorize the Weldon Toll Bridge Company to subscribe their Stock to the Portsmouth and Roanoke Rail Road Company and for other purposes; which was read the first time and passed.

Mr. Boyden presented a bill to amend the Revised Statutes, entitled an act for restraining the taking of excessive usury—

Mr. E. F. Miller moved that said bill be rejected; which motion did not prevail, and the said bill was read the first time, passed and referred to the committee on the Judiciary.

Mr. Keener presented a petition from Jesse R. Siler, praying indulgence on behalf of the State on a judgment obtained against him for lands sold by the State, the title of which is disputed, until a suit be tried to settle the title, which on motion of Mr. K. was referred to the committee on Propositions and Grievances.

The resignations of Sundry Justices of the Peace were presented read and accepted.

Wednesday, Dec. 23.

Mr. Waddell introduced resolutions appointing a committee of five, to prepare an abstract from the census of this State for the year 1840, together with the amount of public tax paid according to the Comptroller's report, to be printed for the Legislature and also published with the Laws and Journals; which were read and adopted; and Messrs. Waddell, Dockery, Gaiter, Mitchell and Worth appointed to form said committee.

Mr. Clingan presented a bill to incorporate the Nantahala Turnpike Company; which passed its first reading.

The proposition of the Governor on the subject of French spoiliations, to a joint select committee, was concurred in.

The resolution in favor of Isaac Hunter, was taken up, amended, on motion of Mr. Edwards, and passed, 32 to 16.

The bill for the establishment and better regulation of common schools, was taken up, and after discussion, laid on the table.

The bill to establish a county by the name of Cleveland, was rejected on its second reading—26 to 22.

Mr. Hellen, from the committee on Internal Improvements, to whom was referred the memorial of sundry citizens of Hyde county, relative to the erection of locks and gates on the canal leading from Mattamuskeet lake, reported a resolution directing the Literary Board to ascertain the nature and extent of the injuries sustained by a portion of the citizens of Hyde from the operations of the State, on a dike intended to drain the waters of Mattamuskeet to Wyserking creek; and if they find that the State ought to redress the said injuries, that they remove the nuisance, provided the cost does not exceed \$2,500 Laid on the table.

Mr. Bynum, from the Judiciary committee, to whom were referred several bills concerning sheriffs, clerks and constables, reported the same to the Senate with an amendment. Laid on the table.

Mr. Mitchell presented a bill to amend an act, passed at the session of 1838, to divide the counties into school districts and for other purposes; which passed its first reading, and was ordered to be printed. Provides that the several County Courts in each county in the State, shall elect not more than ten persons as superintendents of common schools, subject to a fine of \$50 for failure to comply with said act.

Mr. J. P. Caldwell, from the Committee on the petition from Currituck county, relating to hunting and fishing on the unenclosed Marshes &c. The Committee were discharged from further consideration of the subject.

Mr. Boyden presented a bill to amend the Revised Statutes, entitled an Act concerning the appointment of Guardians and the management of Orphans and their estates, which was read the first time, passed, and on motion of Mr. B. referred to the Committee on the Judiciary.

Mr. Farrow presented a bill concerning the Superior Courts of Hyde, which was read the first time and passed.

The bill to lay off and establish a road down the Blue Ridge from the line of the county of Yancey to Turkey Creek in Burke County, was read the second time and passed.

Mr. Poindexter, from the Committee on Claims, reported a Resolution in favor of John J. Briggs, which was read the first time and passed.

Mr. Mendeshall presented a petition from the Wake Forest College asking a loan from the funds of the College, which on motion of Mr. M. was referred to the joint Committee on Education.

The bill to prevent the obstruction of fish passing up the Roanoke and Cashe Rivers and their waters—was taken up, considered, and on motion of Mr. Paine postponed indefinitely.

Mr. Guthrie offered the following: Resolved, That when this House adjourns, on Thursday next, it shall adjourn to meet on Monday at 10 o'clock—which was rejected.

Mr. Winston presented a bill to amend the limits of the Town of Wadesborough in Anson county, which was read the first time, passed, and on motion of Mr. W. referred to the committee on Proposition and Grievances.

Mr. Moore presented a bill to authorize the Weldon Toll Bridge Company to subscribe their Stock to the Portsmouth and Roanoke Rail Road Company and for other purposes; which was read the first time and passed.

Mr. Boyden presented a bill to amend the Revised Statutes, entitled an act for restraining the taking of excessive usury—

Mr. E. F. Miller moved that said bill be rejected; which motion did not prevail, and the said bill was read the first time, passed and referred to the committee on the Judiciary.

Messrs. Thompson and Eaton obtained leave of absence from Thursday next to Tuesday next.

Mr. Winston from the committee on the Judiciary, reported a bill to amend the 53rd Chapter of the Revised Statutes, entitled insolvent debtors; which was read the first time and passed.

Mr. King presented a Resolution in favor of James C. Tarrentine; which was read the first time, passed, and on motion of Mr. K. referred to the committee on propositions and Grievances.

Mr. Hoke moved to amend the 19th Rule of order so as to read: "No member shall vote on any question which was not present when the question was put by the Speaker. Upon a division and count of the House on any question, no member without the Bar shall be counted." The proposed substitute was read and laid over one day under the Rule.

Mr. Monroe presented a memorial from the 36th Regiment of Militia praying a repeal of so much of the Militia Laws as restricts company musters to two in a year. Said memorial was referred to the committee on Military Affairs.

Mr. Poindexter presented a petition from sundry citizens of Surry county, against the erection of a new county out of a portion of Surry, Iredell and Wilkes; which was referred to the committee on Propositions and Grievances.

Mr. Reid, from the committee on Propositions and Grievances, reported a resolution in favor of Lunsford Lane, which, on motion of Mr. Spruill, was postponed indefinitely.

The bill to make elections uniform throughout the State, was read the second time and amended so as to fix the elections on the first Thursday in August. The bill then passed the second reading by a vote of 93 to 19. On motion of Mr. Hill the said bill was read the 3rd time, passed, and ordered to be engrossed.

On motion of Mr. Moore the bill to prevent obstructions to the passage of fish up the Roanoke and Cashe Rivers which was yesterday indefinitely postponed was now re-considered and on motion of Mr. Wilson laid on the table.

SENATE.

Thursday, Dec. 24.

The Speaker having obtained leave of absence for one week, A. Dockery, Esq. the Senator from Richmond, was chosen Speaker pro tem. The votes stood thus:

Mr. Dockery 21 59  
Mr. Waddell 49 withdrawn  
Scattering 9 5

Mr. Speed, from the committee on Privileges and Elections, to whom was referred the contested election from the district composed of Greene and Lenoir, reported a resolution declaring that Mr. Whitfield, the sitting member, is entitled to his seat. Laid on the table.

Mr. Clingan presented a bill to amend an act passed at the last session, to authorize the making a turnpike in Haywood county. Mr. M'Dairmid a bill supplementary to an act passed 1839, chapter 30, to amend the inspection laws. Mr. Waddell, a bill to incorporate Fairfield Academy. Mr. Shepard, a bill to grant certain privileges to the Princess Anne and Kempsville Canal Companies. Mr. Waddell, a bill to amend and explain the Revised Statute for limiting the time within which actions may be brought, and for quieting the titles to land and slaves, and prescribing the time within which presumption of satisfaction may arise, and to repeal part of the said statute. These bills were severally read the first time and passed.

The engrossed bill authorizing the Governor to appoint an agent in Macon or Cherokee, was ordered to be enrolled.

On motion of Mr. J. Barnes, Resolved, That the Public Treasurer be instructed to report to this House, when the Bonds due to the State from the Raleigh and Gaston, and the Wilmington and Raleigh Rail Road Companies fall due and what security has been taken from said Companies for the payment of the Loans made to them, and the names of the several individuals and corporations who are indebted to the State by loans from the Literary and Internal Improvement Funds; the several amounts due by each, when said debts fall due and the security taken for their payment.

Laid on the table, on motion of Mr. Lilly.

Mr. Moore presented a bill altering the mode of drawing Jurors for the Superior Court of Rutherford county, which was read the first time and passed.

The Engrossed bill to compel Militia officers to hold their commissions three years was read the second and third times passed and ordered to be enrolled.

The following persons were duly elected to-wit, Thos. A. Allison, as Colonel, Amos Weaver, as Lieutenant Colonel, and Edwin Falls, as Major of cavalry, attached to the 15th Brigade of the Militia.

Mr. Barringer from the committee on Internal Improvements, reported a bill for the relief of the Raleigh and Gaston Rail Road Company, which was read the first time and passed.

Mr. Moore from the committee on the Judiciary, reported a bill to make Real Estate assets in certain cases which was read the first time, passed, ordered to be printed and made the order of the day for Tuesday next.

The Resolution in favor of the Sheriffs of Chatham, Columbus, Duplin, Macon, Nash, and Washington was read on motion of Mr. Spruill postponed indefinitely, by a vote of 54 to 19. Adjourned till Saturday.

SENATE.

Friday, Dec. 25.

Mr. Morehead, from the Judiciary committee, reported adversely to the proposition to give each magistrate the first volume of the Revised Statutes. The committee was discharged from the further consideration of the subject.

Mr. Waddell, from the select committee on the subject, reported an abstract of the Census. Ordered to be printed.

Mr. Clingan presented a resolution in favor of Sataul Waters. Referred.

Mr. Morehead presented a bill to make trespass upon land and other property indictable in certain cases. Mr. Clingan, a bill concerning jurors in Cherokee.—The bills were each read the first time and passed.

The resolution in favor of Mr. Whitfield's retaining his seat, was taken up and adopted.

A number of bills passed their second reading.

HOUSE OF COMMONS.

Monday, Dec. 28.

Messrs. Gray, Hickson, Monroe and Holt were appointed the committee on enrolled bills, the present week.

usage, and of the rights and liberties of the people of New Jersey.—Therefore, Be it Resolved, That the act aforesaid was a palpable violation of that clause of the constitution of the United States, which declares that the times, places and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof.

Resolved further, That the precedent is at variance with all the customs and laws established for the government of Legislative bodies, and if carried out into practice hereafter, would be destructive of the fundamental principles of Republican Government, and of the rights and sovereignty of the States.

Resolved further, That it is the duty of the several Legislatures of the States, composing the Union, indignantly to frown on this first attempt of a factious majority in Congress, to trample on all laws and all precedents, to gain power, to fasten all odious measures on the people in obedience to Executive dedication.

Resolved further, That we will stand by our sister State, New Jersey, in the assertion of her rights, and we congratulate her on the brilliant victory she has achieved, and the withering rebuke she has thereby given to the tools and minions of Executive power.

These resolutions were referred to the Select committee, heretofore raised on the subject matter in them embraced.

The bill to punish unlawful mining by indictment, was read the second time and rejected.

Mr. Caldwell, from the Select committee on that subject, reported a bill to attach a part of the county of Iredell to the county of Wilkes. The bill was read the first, second and third times, passed; and ordered to be engrossed.

Mr. Paine presented a bill supplemental to an act concerning the draining of the Low Lands, and

Mr. Reid a bill to incorporate the Franklin Library Society in the town of Fayetteville. These bills were read the first time and passed.

Mr. Boyden presented a petition from sundry citizens of Surry County, with a bill to carry their prayer into effect, entitled a bill to extend the jurisdiction of Justices of the Peace, which was read the first time and passed.

Mr. J. B. Jones presented a petition from sundry citizens of the district of Edenton calling the attention of the Legislature to the subject of re-opening the inlet at Nag's Head, which, on motion of Mr. J. was referred to the committee on Internal Improvements.

The bill to prevent selling unmaturing crops, was read the third time and rejected.

Mr. B. A. Graham presented a bill to establish a French Literary Institution in the county of Robeson, which was read the first time and passed.

Mr. Boyden, from the committee on Education, reported a resolution directing a loan of \$10,000 to be made to Wake Forest College. Said resolution was rejected, 50 to 14.

SENATE.

Thursday, Dec. 29.

Mr. Moore, from the Committee of Propositions and Grievances, to whom was referred the memorial of Jas. Harman, praying the emancipation of his slave, reported adversely thereto. Concurred in.

Mr. Bond, from the committee of Claims, reported the resolution in favor of Samuel Waters without amendment. Laid on the table.

Mr. Whitaker presented a resolution in favor of William Stronack; which passed its first reading.

The resolution in relation to the statue of Washington, passed its third reading, 25 to 19, and was ordered to be engrossed.

The engrossed bill to amend the Revised Statute for the appointment of Electors to vote for President and Vice President, passed the third reading, and was ordered to be enrolled.

The bill for the establishment and better regulation of Common Schools, was amended on motion of Mr. Shepard, by making federal instead of white population, the ratio in the distribution of the proceeds of the Literary fund for the support of Schools, by a vote of 25 to 21.

YEAS—Messrs. Averington, Bond, Cooper, Edwards, Etheridge, Faison, Hawkins, Hill, Henderson, Johnson, Larkin, Melvin, Mays, Foster, Pollock, Reid, Selby, Shepard, Sloan, Speed, Spier, Sp. A. Hill, Whitaker, Whitfield, and Wilson.

NAYS—Messrs. Albright, Bynum, Clingan, Gaiter, Hargrave, Hellen, Kerr, Melchor, Mitchell, Moore, Morehead, Montgomery, Myers, Orr, Parks, Puryear, Rublin, Waddell, Ward, Williams, Worth.

The bill was further amended, on motion of Mr. Mitchell, and laid on the table.

HOUSE OF COMMONS.

Tuesday, Dec. 29.

The bill to incorporate the Little River Manufacturing Company, was read the second time and amended, when, on motion of Mr. Reid, it was indefinitely postponed.

Mr. C. Jones introduced a resolution relating to furniture in the office of the Secretary of State, which was read the first time and passed.

out all after the enacting clause still pending. Mr. Dockery delivered his views to the committee at some length in favor of adopting, as a compromise, the principle of combined population and territory, as the basis of distribution in dividing the proceeds of the literary fund among the several counties of the State for the support of schools. Mr. Mitchell also addressed the committee in favor of the specific proposition that one half population and one half territory be taken as the basis; Mr. Worth spoke in favor of taking white population alone; and Mr. Speed addressed the committee in favor of federal population. The proposition of Mr. Mitchell to strike out, was finally negatived; and the committee rose and obtained leave to sit again.

Mr. Speed presented a bill to authorize the making of a turnpike road from Gatesville to the Chowan river, and to incorporate a company for that purpose. Mr. Mc'Dairmid a bill to incorporate the Little River Manufacturing Company; which bills passed their first reading.

The engrossed bill repealing the act relating to the public road in Buncombe county, was read the third time, passed and ordered to be enrolled.

Mr. Burdiger, from the committee on Internal Improvements, reported a bill to amend the 23d Section of the 88th chapter of the Revised Statutes, entitled an act to reduce into one the several acts concerning Pilots, and commissioners of navigation; which was the first time and passed.

Mr. Reid presented a bill to extend the time of holding the next Term of the Superior Court for Cumberland county which was read the first time and passed.

Mr. Poindexter presented a resolution to pay for surveys for the Fayetteville and Western Rail Road; which was read the first time and passed.

Mr. Morris presented a bill to authorize the making of a Turnpike Road in the county of Henderson which was read the first time, and passed.

Mr. Bryan presented a bill to appropriate 400 dollars to the improvement of Lewis Fork Road, which was read the first time, and passed.

The engrossed bill to amend the revised statutes concerning registers; and the engrossed bill to make elections uniform throughout the State, were each read the third time, passed and ordered to be enrolled.

The resolution concerning the draining of Mattamuskeet Lake, was rejected, 50 to 14.

Mr. Moore presented a bill to amend the Revised Statute, entitled an act concerning slaves and free persons of color; which was read the first time, passed, and referred to the committee on the Judiciary.

Mr. J. P. Caldwell, from the Committee on the petition from Currituck county, relating to hunting and fishing on the unenclosed Marshes &c. The Committee were discharged from further consideration of the subject.

Mr. Boyden presented a bill to amend the Revised Statutes, entitled an Act concerning the appointment of Guardians and the management of Orphans and their estates, which was read the first time, passed, and on motion of Mr. B. referred to the Committee on the Judiciary.

Mr. Farrow presented a bill concerning the Superior Courts of Hyde, which was read the first time and passed.

The bill to lay off and establish a road down the Blue Ridge from the line of the county of Yancey to Turkey Cove Creek in Burke county, was read the second time. Mr. Moy moved to strike out the words, "and insert in the lieu thereof, the words 'belonging to the internal improvement funds';" which was agreed to. Mr. Reid moved to strike out the third section of the bill; which was negatived; and it passed its second reading, as amended.

The bill to lay off and establish a county by the name of Union, was rejected on its second reading.

The Senate resolved itself into a committee of the whole, Mr. Edwards in the chair, on the bill for the establishment and better regulation of common schools; and after considerable discussion, in which Messrs. Dockery, Shepard, Reid, Mc'Dairmid, Waddell, Bond and Cooper participated, the committee rose, and obtained leave to sit again.

Mr. Moore presented a petition from sundry citizens of Halifax county, on the same subject, which was read.

The engrossed resolution in favor of R. B. Davis and others, received from the Senate, was read, passed and ordered to be enrolled.

Mr. Mills, from the committee on private bills, introduced a bill to incorporate the town of Henderson, in the county of Granville, which was read the first, second and third times, passed, and ordered to be engrossed.

Wednesday, Dec. 30.

The Senate resolved itself into a committee of the whole, Mr. Edwards in the chair, and took up the bill for the establishment and better regulation of common schools; the proposition of Mr. Mitchell to strike

out all after the enacting clause still pending. Mr. Dockery delivered his views to the committee at some length in favor of adopting, as a compromise, the principle of combined population and territory, as the basis of distribution in dividing the proceeds of the literary fund among the several counties of the State for the support of schools. Mr. Mitchell also addressed the committee in favor of the specific proposition that one half population and one half territory be taken as the basis; Mr. Worth spoke in favor of taking white population alone; and Mr. Speed addressed the committee in favor of federal population. The proposition of Mr. Mitchell to strike out, was finally negatived; and the committee rose and obtained leave to sit again.

Mr. Speed presented a bill to authorize the making of a turnpike road from Gatesville to the Chowan river, and to incorporate a company for that purpose. Mr. Mc'Dairmid a bill to incorporate the Little River Manufacturing Company; which bills passed their first reading.

The engrossed bill repealing the act relating to the public road in Buncombe county, was read the third time, passed and ordered to be enrolled.

Mr. Burdiger, from the committee on Internal Improvements, reported a bill to amend the 23d Section of the 88th chapter of the Revised Statutes, entitled an act to reduce into one the several acts concerning Pilots, and commissioners of navigation; which was the first time and passed.