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North Carolina Legislature.

CALLED SESSION.

SENATE.

THURSDAY, Jan. 25, 1866. Prayer by the Rev. Dr. Mason.

Mr. Bynum, from the committee on the judiciary, to whom was referred the bill continuing in office c'erks and masmendation that it pass.

Also, the bill to attach the county of ing an amendment to the usury laws. Mitchell to the eighth judicial circuit, and recommended that it do pass.

The bill relative to clerks and masters was read a second time and passed; and on motion of Mr. Bynum, the rules were suspended and the bill put upon its third reading.

Mr. Wilson moved an indefinite post ponement of the bill. Not agreed to. The question then recurring on the passage of the bill its third and last reading, the yeas and nays were demanded, which resulted yeas 26, nays 13.

The bill to attach the county of Mitchseveral readings.

Mr. J. M. Leach, from the committee to whom was referred the resolutions relative to banks, reported the same back to the Senate with a recommendation that it be referred to the joint select committee on banks.

of the county of Carteret to levy a tax for the support of the poor of said county, under a suspension of the rules, on laid on the table. motion of Mr. Arendell, passed its sever-

a resolution instructing the committee on the judiciary to consider the propries source of revenue, the stamp system of taxation. Adopted.

Mr. Covington introduced a bill defining the duty of constables and other officers, in certain cases.

tion of grain into spirituous liquors was ecutors and dowry. Adopted. read the first time, and ordered to be printed.

On motion of Mr. Cowles a message was sent to the House informing that body that the Senate do not concur in the House list of magistrates for the county of Yadkin.

Message received from the House transmitting engrossed bills and additional recommendations for magistrates.

The bill incorporating the Clarendon Bridge Company read first time.

Mr. Eure moved to proceed with the unfinished business on the calendar at the close of the last session.

The Speaker said that as the General Assembly was now sitting under the call of the Governor, and not upon their own adjournment, it was a new session. When a session is closed, all matters depending before the Legislature are discontinued, and at their next meeting are to be taken up de novo, if taken up at all. Had the Legislature met upon their own adjournment, it would have been nothing more than a continuance of the session, but this session is under the call of the Governor. Jefferson says if Congress is convened by the President's proclamation, this must begin a new session, and of course determine the preceding one to have been a session.

The Speaker further remarked that he was not ignorant of the joint resolution passed at the close of the last session, but holds that it cannot operate to revive the business which was discontinued as soon as this Assembly met in a new and extra

On motion of Mr. Wilson, the Senate adjourned until to-morrow morning ten o'clock,

HOUSE OF COMMONS.

THURSDAY, Jan. 25th, 1866. The House met at 10 o'clock. Prayer by Rev. Dr. Mason.

Messra. Everett and Harrison were allowed p record their votes in favor of the bill to proibit the distillation of liquor from grain. Mr. Everett said he voted in the affirmative

order to move a reconsideration, which he could do when in order. He was opposed to

Mr. Manly from the Judiciary Committee resented reports on several bills, the titles of which will appear when they come up for final

Mr. Blackmer submitted reports of the Com-

nittee on Propositions and Grievances. BILLS ON FIRST READING. Mr. Joyner, a bill to incorporate the Weldon

Enterprise and Loan Company. Mr. Russell, a bill to provide for the payment of the federal laud tax of 1861.

Mr. Everett moved a reconsideration of the bill to prohibit the distillation of spirituous iquor from grein.

magistrate. He was the leader of a clique in his County which had oppressed persons favoring the late war. He (Mr. Waugh) was as Carolina, but he was opposed to proscription and punishment now.

nays 59.

Mr. Arnold.

Mr. Nicks moved to strike the name of S.

Mr. Waugh hoped the motion would not

prevail. Mr Felts was not fit to be made a

were presented and adopted.

A message was received from the Senate, groes and freedmen, transmitting a bill to provide for the collection dorsing the policy of the President, wsking for the full restoration of civil law and recommend-

Mr Manly said the resolutions were a mere repetition of what had often been declared by this Legislature; he saw to utility in them and moved to lay on the table. Agreed to. Mr. Jenkins of Granville, a bill for the benefit of Common Schools.

Mr. Blackmer, a bill concerning the per diem of the Council of State. (Allows the same compensation as that of the members of the General Assembly.)

Passed its several readings, The following bills passed their final readings, faxation by stamps. Adopted.

ell to the eighth judicial circuit was, un- of the town of Elizabeth City and a bill to inder a suspension of the rules, passed its corporate the town of Company's Shops. A all to legalize the elections of the Mayor and Commissioners of Morganton,

A bill to admit negro testimony in certain cases, was read a second time and on motion of Mr. Jenkins of Warren, was laid on the table.

The bill in relation to the qualification of magistrates, was laid on table, a bill having already passed containing its provisions; also a The bill empowering the magistrates bill to punish for the killing of stock.

A bill to decrease the expenses of Sheriff's returns, and a bill concerning bastardy were A bill to incorporate the Portis Gold Minting

readings.

Mr. Harris of Rutherford, introduced Rev. Code, entitled "Ivonds and Ferriss," passed their third reading. Mr. Dais of Carteret, a bill to charter the

ty of establishing, or adopting, as a tong of Newport. Presed as several residings, Mr. Smith of Columbus, a resolution instructua the Indicine Committee to require into the expediency of reducing the bends of Speritis.

Mr. Ashworth, a resolution instructing the Juliciary Committee to inquire whether amend-The House bill prohibiting the distilla- ment is necessary to the laws in relation to ex- pensation of the members of General As-

The House then adjourced to Friday 10

SENATE. FRIDAY, Jan. 26, 1866.

Prayer by the Rev. Henry Hardie. Mr. Winstead from the committee to whom was referred the bill empowering

the Commissioners of the town of Favetteville to issue certificates of indebtedness, reported the same back, and asked to be discharged from its further consid-

Mr. Arendell from the committee to whom was referred the bills to incorporate the Clarenden Br dge Company, and the Salem Female Academy, reported the same back to the Senate, and recommended that they do pass.

Message received from the House transmitting additional lists of magistrates, and sundry engrossed bills.

Mr. J. M. Leach introduced a bill for the relief of the people. [Authorizes the banks of the State to subscribe for stock in the National Bank.] Referred to the committee on banks and currency, and ordered to be printed.

Bill concerning the per diem of Couneillors of State;

Bill to legalize the election of officers or the town of Morganton;

Bill to amend the 9th section, chapter 101, revised code; Bill to incorporate the town of Newport

in the county of Carteret; Bill to incorporate the Portis Gold reading. Mining Company in the county of Frank-

On motion of Mr. Ferrebee, the rules whipping. were suspended; and the bill to amend ings. The rules requiring bills to lay of the crime. over one day after their final passage beat . The report on the bill made by fore being ratified, were suspended, and committee was read, in which the rejecthe bill was immediately ratified.

The bill to enable sheriffs and tax collectors to collect arrears of taxes for 1864, in all probability render the present was read the first time, referred to the committee on the judiciary, and ordered to be printed.

Mr. Arendell reported the bill concerning the North Carolina Institution change. Such bloody features should for the Deaf, Dumb and Blind. The not be incorporated into the laws unless bill authorizes the public Treasurer to absolutely necessary. If the necessity pay over to the Institution such sum, not for change became permanent after the exceeding \$20,000, as may be necessary full restoration of civil law it might be gnardians, as to the assets and depreciafor the support thereof.]

Mr. A. endeavored to get a suspension of the rules in order to hurry the bill through, inasmuch as the Institution had been, (and is now,) drawing rations ever increase of the crime. quor from grain.

| since the federal army entered the city. Mr. McKay said it would be almost the bill to incorporate the trustees of the thought the general objects of the bill His motion, however, did not prevail, impossible to get a jury to hang a man the Salem Female Academy.

good, but said it would operate unequally up and the bill was ordered to be printed. for the first offence. He was in favor of The House refused to reconsider year 45,

taxes on distillers of spirituous liquors, of death for the second offence. Imposes a tax on distilleries, and a don- Messrs. Hutchison and Faircloth of and the substitution of the name of H C Felts. dealers, as well as a fine on all who may murder. The appointment of Mr. Arnold would be very be convicted of a violation of this act. Referred to the committee on the judicis further consideration of the bill until 11 arv and ordered to be printed.

Mr. J. M. Leach offered the following resolution, was adopted:

much opposed to the war as any man in North the propriety of hereafter designating, ment was less severe. The increase of The House refused to strike out the name of ing those who were formerly slaves as hoped the House would so vote as to the expediency of adopting a homestead

o'clock.

HOUSE OF COMMONS.

FEIDAY, January 26, 1866. The House met at 10 o'clock. Prayer by Rev. Dr. Mason.

Mr. Manly presented a report from the judiciary committee on several bills.

BILLS, RESOLETIONS, &C.

Mr. Caldwell, a resolution instructing til their successors are appointed. the finance committee to inquire into the expediency of adopting the system of

Mr. McDonald a resolution instructing | row 10 o'clock. A bill to continue in office provisional officers the committee on that subject to inquire of certain towns. A bill to amend the charter whether the law in regard to landlords and tenants passed during the rebellion, is in force. Adopted.

Mr. Newsom presented a memorial from Wm. E. Broadnax and J. E. Wilkins, owner of the Gaston Ferry. Re

Mr. Marler, a bill to allow persons to make affidavit of converances, (the deed being lost, before a Judge as well as in orlen Court. Passed its several readings. Mr. Kenan, a bill to amend the Revised Code in regard to wards and guar-

Mr. Dargan, a bill to alter the rules of pleading and for the relief of the people! Mr. Foster, a bill to protect a widow dissenting from a deceased husband's will. Mr. Blythe, a bill to enlarge the pow ers of Justices of the Peace.

Me. McKay, a resolution to provide for the principle of the journals of the General Assembly for 1864-65. Adop-

Mr. Wilson, a bill to regulate the comsemidy. Allows \$5 per diem to members, \$5 to speakers and clerks, \$6 to doorkeepers and engrossing clerks.] ferred

A message was received from the Senate concurring in House nominations for

Messrs. Luke, Holderby Smith of Hertford, Bryson, Dunn and others presented lists of magistrates for their sev. zable only and exclusively before the eral counties, which were adopted and Superior Courts. sent to the Senate for concurrence.

Mr. Blackmer from the committee on the insane Asylum, made a report, re- heretofore transferred from the County commending an appropriation of \$11,-000 for its support, and that the charges of the institution be raised.

Mr. Smith, of Hertford, presented a resolution instructing this committee to prepare and report a bill carrying out the views expressed in the report. Adop-

Mr. Russell moved that the Senate resolutions in relation to civil rule in Steamship Company, was, under a sus-North Carolina, tabled yesterday, be taken up. Rejected.

A bill to incorporate Dillwood Ceme tery, passed its several readings.

The following bills were laid on the table, further legislation on these subjects being deemed by the committee nanecessary, viz : A bill to authorize County Courts in Cabarrus; a bill to legalize the proceedings of Provisional Courts; a bill for the relief of persons losing records.

Sena'e bill to punish horse stealing with death was rejected on its second

The bill to punish horse stealing being read : Mr. Jenkins of Warren; moved to Bill to incorporate the town of Compa- amend by substituting the penalty of ny Shops, were each read their first time. death for the first offence instead of

Mr. Jankins was of the opinion that the charter of the town of Elizabeth City the punishment now provided by law was taken up and passed its several read. was wholly inadequate to the abatement

tion of the bill, was recommended on the ground that a return of civil law would laws on this subject efficacions.

Mr. Manly reiterated this opinion and advised that the present laws be retained until more necessity was shown for proper to amend the laws.

Mr. Smith, of Cumberland, was in favor of the amendment and thought it highly necessary to prevent the further

Mr. Gash introduced a bill to secure the Senate bill which provides a penalty

Arnold from the list of magistrates for Yadkin State, and levies a heavy tax on retail crime of larceny on a footing with that of landlerds.

Mr. Holderby moved to postpone the Clock to morrow. Rejected.

Mr. Smith remarked that the certainty of panishment would tend more than its Resolved. That the enumittee on the severity to suppress crime. Men would judiciary be instructed to inquire into more often escape, than if the punish-(to avoid confusion and unnecessary dis crime was not due to defective laws but crimination) all sersons of color, include to the inability to execute them. He

well as those who have always been free, show to the world that after an unparal- law. Several recommendations for magistrates as "free negroes," instead of designating eled revolution the representatives of the the two classes respectively, as free ne- people of North Carolina had preserved their high national reputation for calm mining and manufacturing company. On motion of Mr. Gash, the Senate and dignified deliberation and that none ters until their successors are appointed, and sale of State property, and resolutions en adjourned until to-morrow morning 11 of their enactments bore the impress of instructing the Judiciary Committee to passion or prejudice.

The amendment was lost, year 30, nays section 13, Chap. 46 Rev. Code.

the table. Rejected. The bill then passed its second reading. A message was received from the Senate, a bill to attach Mitchell County to

the 8th Judicial Circuit, and a bill to amend the usury laws. continue in office Clerks and Masters un-Mr. Ashworth offered a bill, more ef- Fund to elect a Treasurer.

feetually to punish vagrancy. The House then adjourned till to-mor-

SENATE.

SATURDAY, Jan. 27, 1866. Prayer by the Rev. Mr. Hudson.

Mr. Winstead, from the committee to whom was referred the memorial from ing citizens of Cumberland against the distillation of grain, reported the same back, read, and asked to be discharged from its further consideration.

Mr. McLean moved that the memorial be recommitted to the committee that they may state their reasons for asking to be discharged from its further consideration, which was, he supposed, the fact that the whole matter is now before the Senate in an engrossed bill from the in effect license the business of horse

Mr. A. J. Jones introduced a bill regulating the jurisdiction of the courts and the table. Rejected. for other purposes. The bill provides that exclusive jurisdiction shall be given the amendment would not alter the opeto the county courts in cases of mere ration of the bill. money demands, except where the amount comes within the jurisdiction of Justices of the Peace. 2d. That suits may be brought after January 1, 1867, ding to the penalty for the first offence on one-fourth of principal, and one fourth "that he be branded on the left check aterest of any debt unless that proportion has either been previously paid or tendered. In cases of a merely equita- ding that the felons head be chopped off. ble nature jurisdiction is left with the courts of equity.

All action for torts, or for anything but a purely money demand, are cogni-

The principle of the act with reference to actions for debts, are applied to snits to the Superior Courts, which are to be sent back to the County Courts.

All judgments rendered during the war, more than a year since, are to be revived by sci. fa. which is to be made returnable 12 months after its test, and time given till the second term thereafter

to plead. The bill to incorporate the Albemarle pension of the rule, on motion of Mr. Eure, passed three times.

The bill to incorporate the Minister's Relief Society, was read a second time and tabled. The bill to prevent obstruction to the

passage of fish up the waters of the Catawba river passed its second reading. The bill to anthorize the commission-

ers of Fayetteville to issue certificates of indebtedness and for other purposes, was read a second time. Mr. Jones, of Wake, moved to amend,

by making the provisions of the bill applicable to Raleigh, but subsequently withdrew his motion at the solicitation of Mr. McLean. The question then recurring on the

passage of the bill, it was defeated. Mr. Bynum from the committee on the judiciary, reported back the bill requiring clerks of courts to reside within the precincts of the county towns; and informing the Senate that a law already

exists covering the grounds. Message received from the House proposing to go forthwith into an election for seven trustees of the University of North Carolina, which was concurred in, and the Senate proceeded to ballot. See

House proceedings for result. Mr. J. M. Leach offered the following resolution which was adopted;

Resolved. That the committee on the judiciary be instructed to inquire into the legal liabilities of administrators and ted currency in their hands during the war, and at its termination, and report what legislation, if any, is necessary. A number of House bills had their 1st

reading

Mr. Boner submitted some well timed remarks, advocating the bill, after which

it was passed through its several readings. Mr. Cowles introduced a bill to amend ble tax on all liquors imported into the Wayne were opposed to putting the an act entitled an act for the relief of

> Senate then adjourned until Monday morning 11 o'clock.

HOUSE OF COMMONS. SATURDAY, Jan. 27, 1866.

The House met at 10 o'clock. Prayer by Rev. Mr. Hudson. Mr. Manly reported back several bills from the Judiciary Committee.

BILLS AND RESOLUTIONS.

Mr. Simmons a resolution instructing the Judiciary Committee to inquire into | bone, as saite every visitor,

Mr. Hoke a bill to incorporate the English and American vine growing,

enquire into the expediency of amending

Mr. Jenkins, of Gaston, a bill to incor-Mr. Moore moved to lay the bill on porate the High Shoal Railroad Compa-

> the Committee on Corporations. Mr. Jones, of Columbus, a bill to

M . Scoggin, a bill to repeal an act allowing the Directory of the Literary

Mr. Whitley a bill for the relief of Wistar's Balson Wild Opodebloc, guardians.

Mr. Henry a resolution in favor of A. W. Fraps. A bill in favor of Briggs & Dodd; a bill to attach the County of Mitchell to the 8th Judicial Circuit, and a bill to in Jaynes' Expectment. corporate the Weldon Enterprise and Hostetter's Stomach Bit-Ginger, Loan Company, passed their final read-

The bill to punish horse stealing being

Mr. Henry moved to strike out the words "or her" from the clause prescribing the penalty. He wished to exempt the female sex from the degrading punishment of the Pillory. The bill prescribes whipping for the first offence and death for the second.

Mr. Waugh said this exception would stealing by women.

Mr. Chandler move I to lay the bill on Mr. Smith of Hertford remarked that

The amendment was rejected but subsequently adopted.

Mr. Jenkins moved to amend by ad-

with the letters H. T." Rejected. Mr. Henry moved to amend by provi-

Withdrawn. On motion of Mr. Smith the bill was so amended as to make the bill operative

from and after its ratification. Mr Hutchison moved to amend by adding after the penalty to the first of fence, the words "shall be branded in the left hand with the letters II. T.' at the discretion of the Court." Adopted.

The bill then passed its third and last Mr. Wangh moved that a message be sent to the Senate proposing to go into an election for seven Trustees of the Uni-

versity. Agreed to. Mr. Smith, a resolution authorizing the Public Treasurer to employ an extra clerk during this Session, of the Assem-

bly. Adopted. Mr. Waugh nominated for Trustees of the University J. H. Hyman of Edgecombe, J. F. Hoke of Lincoln, and D. G. Fowle of Wake.

By Mr. McKay, Messrs. J. W. Cam-

eron and W. N. H. Smith. By Mr. Russell, Hon. R. S. Donnell. By Mr. Wilson, Seaton Gales of Wake. By Mr. Holder by, W. E. Pell of Wake. By Mr. McDonald, A. C. Cowles of Yadkin and Hon. N. Boyden of Rowan.

By Mr. Smith, of Hertford, W. A. Jenkins of Warren. By Mr. Manly, J. M. Hutchison of Mecklenburg and J. D. Whitford of Craven

By Mr. Joyner, H. G. Williams of Nash. By Mr. Dalby, Jas. S. Amis of Granville. By Mr. Wheeler, Luke Blackmer of

Rowan.

Lenoir.

By Mr. Garland, B. S. Gaither of Burke By Mr. Lucas, H. W. Guion of Ruth-By Mr. Dunn, George Washington of

By Mr. Kinney, Tod R. Caldwell of Burke. By Mr. Jones, D. F. Caldwell of Guil-

ford. By.Mr. Cox, D. D. Ferrebee of Camden. By Mr. Horton, N. M. Bogle. By Mr. Barnett, Hon. Kenneth Rayner

of Wake. By Mr. Mott, Rev. Dr. Mason of Wake. By Mr. Jenkins, Thos. Donoho of Cas-

At the request of Messra. Rayner and Donnell their names were withdrawn. A message was received from the Senate concurring in the proposition of the House to go forthwith into an election are prepared to furnish any quantity of the best PINE. for Trustees, and the House proceeded to rote by ballot.

The result pending, the House adjourned to monday morning 10 o'clock.

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And a most beautiful stock of for ladies and gents, for

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Just received on Friday last, a superb assortment DRY GOODS.

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or at Salisbury, on reasonable terms. Jan. 8th, 1866.