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On this there was a short discussion between Messrs. Standy, Dobbin and Courts. Mr. Barringer gave his motion, pending which, the House took recess.

Evening Session.

The following bills and resolutions passed their second reading: A bill to incorporate South Creek Sewing Land Company; a bill to incorporate Plymouth Academy; resolution in favor of Thea Reddick; bill concerning public Roads of Rutherford County; bill to amend an act to incorporate the Town of Wilkesboro; bill to provide for better regulation of Gateways; bill to amend 19th Section 31 Chapter of Revised Statutes; bill to amend 31 Chapter of Revised Statutes concerning tax on dogs; bill to provide for settlements of estates; &c.; bill to authorize creation of a Toll-bridge across French Broad River; bill to amend 11th Section 31st Chapter of Revised Statutes; bill to consolidate various acts concerning poor debtors; bill concerning Registers and Masters of Equity; bill to incorporate Rock Spring Tent Independent order of Rechabites in Wilmington; bill to authorize superintendants of Common Schools of Rowan County to invest a part of their funds in Cape Fear Bank Stock; bill to establish a board of Directors for the Deaf and Dumb Asylum.

The bill from the Senate concerning the practice of Law did not pass second reading. The bill to lay off a new County by the name of Alamance was made the order of the day for 3 o'clock Monday.

On motion the bill to amend an act to prevent the destruction of oysters was laid on the table. Mr. Jones of Rowan introduced a resolution to cut off all debate and amendments on the Resolutions concerning Slavery; pending which, on motion of Mr. Standy the House adjourned.

Senate.

Monday, Jan. 15. Mr. Shepard presented the resolutions on slavery, now pending in the House of Commons, which passed their first reading, and a motion made the special order for 11 o'clock, A. M. to-morrow.

Mr. Halsey, a resolution in favor of the keeper of the Public Arms in Plymouth. Referred to committee on Claims.

Mr. Gilmer, presented the following resolutions: Whereas, in the contested election, pending between Hugh Waddell and John Berry, from Orange County, the 27th Senatorial District, the sense of the Senate on the question whether bargainers in deeds of Trust, Trustees and certain trusts had a constitutional right to vote, will shorten, if not determine the inquiry:

Be it Resolved, That all the votes of bargainers, in deeds of trust, heretofore given to either of the parties, are illegal.

Be it further Resolved, That all the votes of Trustees in deeds of trust, given as aforesaid are illegal.

Be it further Resolved, That all the votes of certain que trusts, given as aforesaid, are illegal.

Mr. Marchison, a bill to incorporate Lafayette Division, of the order of the Sons of Temperance, in Fayetteville, which passed its first reading.

The following engrossed bills passed their first reading: A bill to authorize a Toll gate in Burke County; resolution in favor of the late Sheriff of Lincoln; to amend an act of last session relating to the apprehension of runaway Slaves in Great Dismal Swamp; to incorporate Pleasant Masonic Lodge in Charlotte; to authorize a road and Canal in Perquimans and Pasquotank; to incorporate the North Carolina Mutual Life Insurance Company; concerning Registers and Clerks and Masters.

The following passed their second and third reading: To exempt wardens of the Poor and County Trustees from Militia duty; (Mr. Kendall moved to strike out County Trustees. Carried.) To incorporate the Clay Mining Company; to regulate the duties of Sheriffs; to regulate the taking of depositions to be read as evidence in other States.

The Common School bill was taken up on its third reading.

After various amendments, and striking out the Section providing for General Superintendent, Mr. Shepard moved to lay the bill upon the table which prevailed.

The bill to revive and amend an act of 1846-7, to incorporate Orange Canal and Turpike Company, was read the second and third time and passed. Also, the bill to empower the Justices of New Hanover to sell the Poor House in said County. The bill to provide for the transfer of the Internal Improvement fund to the public Treasury, was taken up. Mr. A. might moved to strike out the second section, which provides for the dissolution of the Internal Improvement board; which prevailed.

The bill was then opposed by Mr. Woodin, and rejected. The bill to amend Chapter 31 Revised Statutes, entitled crimes and punishments, was read the second time and passed. Ayes 31, Nays 7. The bill then passed its third reading. (Provisos that instead of fine and imprisonment for keeping Farm Banks, the offender shall be liable to 20 lashes on his bare back, and to be discharged on payment of cost.)

Mr. Speight moved the reconsideration of the bill to suppress traffic with Slaves; which prevailed, and the bill was postponed until the afternoon.

Mr. Gilmer called up the bill to increase the Revenue of the State, which having been read, the Senate took recess.

Evening Session.

The engrossed bill for the incorporation of the town of Salisbury, passed its third reading. The unfinished business being the bill to increase the Revenue of the State, was then resumed.

Mr. Moye moved to lay the bill upon the table for the present, which prevailed.

The bill to amend the 31st Ch. Rev. Statutes entitled crimes and punishments, being read.

Mr. Smith moved to strike out so much of the first Section as relates to fowls.

Mr. Walker called for the Ayes and Nays. The question was taken on Mr. Smith's motion, and agreed to. Ayes 29, Nays 18. The bill passed its third reading.

Mr. Moye called up the Common School bill, when Mr. Speight moved to strike out all after the enacting clause, and insert a substitute which he offered. Laid upon the table for the present.

Referred to Committee on Finance. Mr. Dobbin, a bill to amend 24th Chap. Rev. Stat. Referred to Committee on Judiciary. Mr. Mebane, a bill for the improvement of the Public Road between Raleigh and Hillsboro. Passed first reading.

Mr. Shepard moved a suspension of the rules of the House, in order to allow him to move to take up the bill to attach a portion of Burke to Catawba. Lost.

Mr. Mebane from the same Committee, to whom was referred the memorial of Citizens of Guilford, concerning tax on dogs, reported a bill carrying out the prayer of the petitioners, which passed its first reading.

Mr. Sitt rhwaite, from the Committee on the Judiciary, reported a substitute for the bill to facilitate the collection of debts on Cherokee Lands; passed its second reading. Also, unfavorably to the bill to incorporate Justices of the Peace in certain cases. On motion of Mr. Martin, the bill was postponed indefinitely. Also, favorably to the bill to amend an Act to establish a poor, and work house in the Counties of Jones and Randolph. Passed second reading. Also, a bill more effectively to punish persons administering poison. Passed first reading. Also, favorably to the bill for the better regulation of practice in the Superior Courts. Passed second reading.

Mr. Stevenson, from the Judiciary Committee, reported unfavorably the bill to amend the Revised Statutes, concerning the Training of Swamp Lands and creating a fund for Common Schools. The bill did not pass second reading. Also, a bill to prevent the selling or giving away of spirituous liquors at or near places of public worship. Passed first reading.

Mr. Byrner, from the Committee on Internal Improvements, reported favorably to the bill supplementary to the bill for the improvement of Deep and Cape Fear Rivers, above Fayetteville. Mr. McClanahan addressed the House in favor of the passage of the bill. The vote on the bill was 49 in the affirmative, to 54 in negative.

Mr. Byrner, reported favorably to the bill to lay off a road in the County of Yancey. Passed second reading. Also, favorably to the bill to open and improve the road from the Tennessee line to Burnsville. The bill did not pass 55 Nays, 48 Yays.

The Speaker announced the special order of the day, the bill to incorporate the Charlotte and Danville Railroad Company.

Mr. Brown moved to lay aside the order, to lay before the Committee to report. Lost.

The bill was then taken up, when Mr. Williams of New Hanover moved to postpone it for the present. Carried.

On motion of the same gentleman, the bill to incorporate the N. C. Railroad Company was then taken up, when Mr. Barringer offered a substitute, being the bill introduced by Mr. Ashe, in the Senate, Messrs. Caldwell, of Burke, and Barringer spoke briefly in support of the substitute; and Mr. Mebane in favor of the original bill. Mr. Jones, of Rowan, addressed the House in support of the substitute.

Mr. Williams moved to lay the bill on the table and make it the order of the day for to-morrow 3 o'clock. Carried.

A message was received from the Senate, transmitting the engrossed bill concerning the Wilmington and Raleigh Railroad Company.

On motion of Mr. Williams, the bill was made the order of the day for 11 o'clock Wednesday.

The following engrossed bills and resolutions were received from the Senate and passed their first reading: To appoint Commissioners for the Town of Ashboro' and incorporate the same; resolution in favor of the Trustees of Greensboro' Female College; bill to amend an act concerning Pilots; referred to Select Committee of five; bill to amend an act concerning Guardians and Wards, referred to Judiciary Committee; bill to provide for the clearing out of Rock-fish Creek, in the County of Cumberland.

The Speaker then announced the hour for recess.

Evening Session.

The bill to lay off and establish a new County by the name of Alamance, was put upon its third reading.

Mr. McDade offered an amendment to the first section, to leave it to the people of Orange. Adopted, and the bill as amended, passed its third reading.

The bill to provide for the establishment of a Medical Board in and for the State of North Carolina, was next taken up, when Mr. Martin moved its indefinite postponement. Messrs. Keene and Standy spoke against, and Mr. Taylor, of Nash, for indefinite postponement.

The question was taken on the motion of indefinite postponement, and decided in the negative 51 to 45.

Mr. Dixon moved to strike out Duplin. Lost.

Mr. Ballard offered an amendment, to the effect that no one should present himself before the Board who was not a graduate of some Medical College. Rejected.

Mr. Mebane offered a substitute for the bill, which was likewise rejected.

The question was then taken on the passage of the bill, and decided in the affirmative 63 to 52, the Speaker (Mr. Jones of Orange) giving the casting vote.

On motion of Mr. Wilkins, the bill supplementary to an Act concerning the County of Folk was taken up.

Mr. Wilkins offered an amendment to the 8th section. Adopted. The bill passed second reading. On motion of Mr. Wilkins, the bill was put upon its third reading, when Mr. Standy offered an amendment, that the Chairman of the Board of Common Schools pay three fourths of the funds in his hands to the County of Rutherford, and one-fourth to the County of Henderson. Adopted. And the bill as amended, passed its third reading.

The bill to incorporate the Granite County Mechanic's Association, passed third reading.

The bill to amend 72d Chap. Rev. Stat. was put upon its third reading, when Mr. Miller moved its indefinite postponement. Lost.

Mr. Sikes moved to strike out 35 and insert 40. The House refused to strike out.

Mr. Leach offered an amendment, that each Company be composed of 46, exclusive of Officers. Adopted.

On motion of Mr. Johnson the House adjourned.

Mr. Gilmer moved to take up his resolutions, referred yesterday, in relation to the contested election in Orange, on a 2 o'clock Wednesday.

On this motion there was a short debate between Messrs. Gilmer, Bower, Thompson of Wake, and Livingston, the latter of whom called for the Ayes and Nays.

Mr. Exam moved to amend the motion by making them the order of the day for Thursday, at 11 o'clock.

Mr. Ashe had commenced a speech upon the resolutions, when he was interrupted by the arrival of the hour for the Special Order, being the resolutions introduced by Mr. Shepard on the subject of Slavery, and which are the same as those before the House reported by Mr. Dobbin, and heretofore published by us.

The resolutions having been read— Mr. Shepard offered an amendment to the fourth resolution, so as to embrace the subject of Slavery in the District of Columbia, which was adopted.

Mr. Shepard then addressed the Senate in a speech which we shall furnish hereafter.

Mr. Exam called for the Yays and Nays; and Mr. Daniel for a division of the question. The question was then taken, on the first resolution as follows: Yays 48, Nays 00.

The second resolution was then adopted, Yays 43, Nays 00.

The third—Yays 43, Nays 00. The fourth—Yays 44, Nays 2, Messrs. Albright and Daniel. Mr. Gilmer did not vote. Mr. Thompson of Burke, and Mr. Willie, absent.

Fifth—Yays 45, Nays 2, Messrs. Albright and Daniel.

Sixth—17 Yays. Mr. Woodin moved to amend the third resolution by striking out the word "colored;" and Mr. Halsey moved to insert "indignation" which was accepted by Mr. Washington.

Mr. Patton called for a division of the question. He indignantly concurred in striking out—but was opposed to the insertion of any irritating word. The amendments were rejected.

Mr. Conner called for the Yays and Nays on the passage of the resolutions at their third reading. Mr. Gilmer called for a division of the question. First—Yays 46, Nays 0. 2d, 3d, 5th, and 6th, Yays 46.

Mr. Halsey offered an amendment to the third resolution, when the Chair ruled that an amendment was out of order.

The question was then taken on the 1st resolution, which passed, Yays 44, Nays 2, Messrs. Albright and Daniel.

The Special Order, being the North Carolina Railroad bill, was laid upon the table.

Mr. Halsey presented a resolution in favor of S. M. Preston, for a loan of muskets—passed its first reading.

Mr. Marchison called up the bill to incorporate the Bank of Fayetteville, which was read the second time.

Evening Session.

The bill to alter the time of holding the Superior Court in the County of Cleveland, passed its third reading.

Mr. Thompson, of Wake, presented a memorial, which was referred to the committee on Propositions and Grievances.

The engrossed bill to authorize the inspection of provisions, being taken up, Mr. Halsey opposed it, and Mr. Ashe spoke in its favor; after which the bill passed its third reading.

This bill to facilitate the taking of depositions in this State, so to be read in the Courts of other States, was taken up, on motion of Mr. Speight, and passed its third reading.

The bill supplementary to the Insane Hospital bill, came up, and Mr. Thomas of Davidson offered an additional section, as follows:

"Be it further enacted, That William R. Holt, Andrew Hunt, and James M. Leach, are appointed Commissioners with those appointed in the first section of the bill to erect a Hospital in this State, (of which this is a supplement) and that if any vacancy shall occur in the Board of Commissioners appointed to locate and erect said Hospital, by resignation, death, or otherwise, said vacancy shall be filled by appointment of the Governor;" which obtained, and the bill passed its third reading.

The bill for the furtherance of Justice in the County Courts of New Hanover, was amended on motion of Mr. Ashe, and passed its third reading.

The Senate took up the unfinished business of the Morning Session, being the resolutions of Mr. Gilmer, in relation to the contested election in Orange; which being read, Mr. Thomas, of Davidson, moved to lay them on the table, as the Chairman of the Committee would be ready to report on to-morrow, and make them the order of the day for 11 o'clock.

Mr. Gilmer could see no reason for delay on these resolutions. The session was drawing to a close—he wished to get the sense of the Senate upon them, and he was now ready to proceed. The matter must be tested, and he saw no reason for further postponement.

Mr. Thomas, enquired of the Chairman of the Committee if they would report to-morrow.

Mr. Bower answered he would, and went on to give reasons against the adoption of the resolutions.

Mr. Exam claimed that his motion was to make them the order of the day for Thursday. The question was put and not carried.

The question recurred on Mr. Gilmer's motion to make them the order for 11 o'clock to-morrow, and carried.

Mr. Thompson, of Wake, called for the Yays and Nays, which resulted as follows: Yays 29, Nays 13.

The Resolutions on the subject of the Raleigh and Gaston Railroad, having been read.

Resolved further, That this Legislature, in making the appropriation provided for in the foregoing resolution, intends only to protect and preserve the honor of the State, and not to approve of, but to condemn, in decided terms, the manner in which the said debt has been incurred, and to enter a decided protest against the contracting of debts for the future by the public officers of the State, not only without authority of law, but in violation of law.

Mr. Thomas, of Davidson, called for the Ayes and Nays.

Mr. Rogers said, he had offered resolutions calling for information from the Governor some time ago, in relation to the State's Liabilities; and also another resolution calling for his authority by which loans were made—but the Governor failed entirely to give the act of Assembly under which the money was borrowed. We had passed a resolution for the payment of that money, and he had voted for it—but the Governor failed to say anything about this \$21,000 now proposed to be paid—it had entirely escaped his notice. By reference to the act for the foreclosure of the mortgage it would be seen, that when the Road did not pay its expenses, the operations should be stopped. He read from said act a passage on the subject. He believed these debts amounting to \$18,000, had been contracted in violation of law. He had no objection to the payment of the money—but he wanted to provide against an recurrence of the kind in future. He did not cast insinuations against those now in power, of those formerly in power.

Mr. Gilmer moved to strike out all after Resolved, and insert: "that it is not the wish of the General Assembly that that road shall be run, when its income does not pay its expenses."

Mr. Gilmer modified his amendment, so as to read: "Resolved, that the Raleigh and Gaston Railroad shall not be run, at the expense of the State."

A considerable discussion took place between Messrs. Woodin, Ashe and Jones, on one side, and Mr. Rogers on the other. Mr. Rogers reported in answer to Col. Jones, with great pomp and violence, that the Governor and his hold information called for by the Senate.

The question was then taken on striking out; Yays 23, Nays 14.

When Mr. Thompson, of Wake, was called, he asked leave to make a remark. He did not desire to vote for several reasons. He contended that the Governor had no power to borrow money—but he acted as wisely and discreetly as he possibly could, and he desired to be excused from giving any vote calculated to uphold and condemn him. He was excused, and thus lapsed the twelfth.

The question was then taken on reporting the proposition of Mr. Gilmer, Yays 27, Nays 3.

The question then recurred on the adoption of the amendment as amended, which prevailed.

The resolutions then passed their second reading, and then the Senate adjourned.

House of Commons.

A number of enrolled bills were read, which the Speaker proceeded to ratify.

Mr. Dancy introduced a bill in relation to the estate of the late Col. Wilson. Referred to the committee on the Judiciary.

Mr. John moved to reconsider the bill supplementary to the bill to improve Deep and Cape Fear Rivers. Carried by a vote 77 to 39.

On motion of Mr. Person, of Moore, the bill was laid on the table.

Mr. Sanders moved to reconsider the vote on the bill to provide for the establishment of a Medical Board in and for the State of North Carolina. Carried by a vote of 54 to 51; and on motion of Mr. Sanders, the bill was indefinitely postponed.

Mr. Farmer introduced a resolution to send a message to the Senate, proposing to adjourn sine die on the 27th. Mr. Martin moved to amend by saying the 22d. Mr. H. C. Jones moved to lay the resolution on the table. Lost.

Mr. Hayman moved to amend by saying 29th. Rejected.

Pending the question on the amendment, the Speaker announced the hour for taking up the special order of the day—being the bill to increase the Revenue of the State.

Mr. Caldwell, of Burke, offered an amendment to the 8th section of the bill, to tax weapons. Adopted.

Mr. Standy offered an amendment to the 5th section, that the tax on all Slave Mechanics shall be one dollar, instead of 20 cents. Mr. Stevenson offered an amendment to the amendment, that the tax of 81 shall be imposed on Slave Mechanics whose services yield a certain amount. On these amendments, there was a short discussion between Messrs. Standy, Payne, Smith, Satterwhite, Williams, of New Hanover, Mebane and Stevenson. The amendment of Mr. Stevenson was rejected.

Mr. T. J. Person moved to strike out the words "negro slaves." Carried.

Mr. Standy then moved to insert before the word "Mechanics," the word "colored." On this amendment, Mr. Smith raised a point of order.—The Chair decided that the amendment was in order; whereupon, Mr. Payne appealed from the decision of the Chair, and the House reversed the decision.

The question was then taken on the amendment as amended, and decided in the negative, 114 to 91.

Mr. Mebane offered a substitute for the 1st section. This amendment was advocated by Messrs. Mebane, Dobbin and Barringer. Mr. Doak replied to the last named gentleman.

Mr. Pigot offered an amendment to the substitute, to strike out the words "vessels and steamboats." Mr. Stevenson supported this amendment. The further consideration of the bill and amendments was cut short, by the arrival of the hour for recess.

Afternoon Session.

Mr. McDowell of Iredell, moved to reconsider the vote on the bill to open the road from the Tennessee line to Burnsville, which was read the first time, and made the order of the day for to-morrow 3 o'clock. Carried.

The engrossed bill to incorporate the Charlotte and South Carolina Railroad was read the first time.

Mr. Dancy moved to take up and consider the bill to lay off and establish a new county by the name of Wilson. Lost.

The Speaker then announced the order of the day, the bill to incorporate the N. C. Railroad Company; the question being on the substitute offered by Mr. Barringer.

Mr. H. C. Jones offered an amendment in relation to the Raleigh and Gaston Road to the substitute of Mr. Barringer, which was adopted.

Mr. Wadsworth offered an amendment to the substitute, providing for an appropriation for the improvement of Tar and Neuse rivers. Mr. Thigpen spoke against the amendment.

Mr. Kelly moved the indefinite postponement of the bill and the Speaker then announced the hour for recess.

Night Session.

The special order—the bill to lay off and establish a new county by the name of Williams was taken up, when Mr. McIntosh addressed the House in support of the passage of the bill.

The question on the passage of the bill was decided in the negative.

Mr. Pigot moved to take up the bill to amend an act to prevent the destruction of oysters. Carried.

Mr. P. then offered an amendment, which was adopted.

The bill as amended passed its 3d reading.

The bill for the better Regulation of Common Schools was next taken up. Mr. Martin moved indefinitely postponement of the bill, and on this there was a protracted discussion between Messrs. Mebane, Cherry, Caldwell, of Burke, McDowell of Iredell, Christman, Payne, Caldwell of Guilford, Standy, H. C. Jones, Gambill, Smith, and Hicks.

The question was then taken on the motion to postpone indefinitely, and decided in the negative 53 to 49.

Mr. Standy offered an amendment provided that this distribution shall not be made out of the fund that came from General Government, &c. &c. The question was then taken on Mr. Standy's amendment, and decided in the negative 73 to 18.

The question was then taken on the passage of the bill and decided in the negative 84 to 52.

On motion of Mr. Williams the House adjourned.

Senate.

Wednesday, Jan. 17. Mr. Bower, from the Committee of Privileges and Elections, made a detailed report, in favor of the sitting member, accompanied by resolutions affirming the right of John Berry to his seat, both under the August and November elections.

Mr. Byrner announced that the Committee on the other side had transmitted their committee under the resolution. They were instructed to report the facts of the case, but they had found farther and made up a decision, when their simple duty was to report the evidence.

Mr. Gilmer then submitted a report, made in conformity with the instructions of the Senate by the Committee disagreed, to report the facts.

Mr. Bower moved that both the reports, together with the Journal and Index be printed.

Mr. Gilmer said, if there was no time he would like to have them printed—but that would be to present to a denial of a hearing—the national testimony was a Cypher—and he requested to have a desire to postpone notice in the first place—and now a motion made which would delay so much that the matter could be reached the session. It was opposed to the printing on the ground that a word defect was necessary. Mr. Bower was called to order by the Chair.

Mr. Ashe rose to reply—but the Chair ruled the discussion out of order. Mr. A. addressed the printing of the testimony.

After some more discussion, which the Chair ruled out of order.

The question was taken on Mr. Bower's motion, which prevailed, Yays 25, Nays 21.

Mr. Harlowe moved the bill to incorporate the Granite Association of Mechanics, and recommended its passage.

Mr. Ashe presented a Preamble and resolutions, referring divers matters concerning the Orange contested election to the Supreme Court