STATE LEGISLATURE.

FRIDAY, Jan. 19.

SENATE.

The Senate then took up the special order, being the resolutions of Mr. Gilmer, in relation to the contested election in Orange, which were read the second time.

Mr. Ashe called for a division of the question and it was taken on the first resolution, "that all the votes of bargainors, in deeds of trust, heretofore given, to either of the parties, are illegal." Ayes, 35, Noes 1. So the first resolution passed.

The question was then put on the second, "that all the votes of trustees in deeds of trust, given as aforesaid, are illegal."

Mr. Smith suggested to Mr. Gilmer, to amend this resolution as follows:—add, "except such as have the possession, or are in the actual receipt of the profit," which obtained; and the second resolution passed.

The third resolution, "that all the votes of *cestui qui trusts*, given as aforesaid, are illegal." Passed.

The resolutions then passed their third reading.

The bill for the relief of the purchasers of Cherokee lands was then taken up, the question being on Mr. Albright's motion to strike out the 7th section of said bill.

Mr. Patterson addressed the Senate in opposition to striking out. The section was intended to cover the case of several persons who had paid for their lands in full. Some of them were constituents of Mr. P. and did not purchase those lands for speculation, but for settlement. If the legislature is disposed to show the same indulgence to solvent, as to insolvent, purchasers, he could not see why this section should be stricken out. Mr. P. further enforced his views of the subject.

Mr. Albright replied to Mr. Patterson, and called for the Ayes and Noes. They were taken as follows: Ayes 22, Noes 12. So the motion prevailed.

Mr. Albright moved to strike out the 9th section; which prevailed. The bill passed its second reading, Ayes 27, Noes 12.

On motion of Mr. Bower, the reports in the contested election case, were made the order of the day for 12 o'clock to-morrow.

And the Senate took a recess.

EVENING SESSION.

The engrossed bill from the House, to incorporate the Central Railroad Company was read the first time and passed.

The bill consenting to the purchase by the United States, of certain parcels of land in Cape Fear river, and ceding jurisdiction, passed its second and third reading.

The bill to incorporate the Head Buffalo Volunteer Company, in Guilford, passed its 2nd and 3d reading.

The Senate soon after adjourned.

HOUSE OF COMMONS.

Mr. Dobbin, from the Judiciary Committee, reported favorably to the bill concerning Constables. Passed its 2d reading.

Mr. Courts, from the Committee on Propositions and Grievances, reported favorably to the bill to incorporate the Johnston and Little River Manufactoring Company. [On this latter bill, Mr. Stevenson said he rose "to do a favor to his friend, the gentleman from Wayne (Mr. Brogden,) who offered this bill. The gentleman, it is true, could hardly expect this favor; but I like to return good for evil. At the request of the gentleman, and because I am a friend to the bill and its objects, I move to strike out from the bill, what is usually called the "liability clause." These little manufactories, here and there dotting our country, should be carefully cherished. They should be encouraged, sir, not depressed. It is unwise to burden them with disabilities unknown in the legislation of other States." The Ayes and Noes were called, and Messrs. Brogden and Sherard voted in the affirmative. It appearing that the motion to strike out had not prevailed, Mr. Brogden asked leave to change his vote—he desired to vote No!—Whereupon, Mr. Stevenson said—"I am surprised at the course pursued by the gentleman from Wayne, (Mr. Brogden.) That gentleman, Mr. Speaker, strongly, yes, sir, *strongly* solicited me to make the motion to strike out the liability clause from his bill. He desired me to do this, because I had been successful in a motion of this nature on a previous occasion. The gentleman, of course, gave me to understand that he would support the motion. He does so—but finding it will not be carried, he withdraws his sanction, and leaves me in the van—the supporter of a principle which he considers not exactly othodox." Mr. Brogden then said, he desired again to change his vote—he would vote Aye. The motion of Mr. S. was lost.

Mr. Mebane, from the Committee on Finance, reported back to the House the bill concerning Retail Merchants and Jewellers. Laid on the table. Also, the bill to appropriate to the Treasurer $750 instead of $500, for the employment of Clerks. Rejected.

Mr. Nichols, from the committee on Claims, reported favorably to the Resolution in favor of the late Sheriff of Martin County. Passed its second reading.

The House then took recess.

AFTERNOON SESSION.

Mr. Gamble moved to take up the bill supplementary to the bill to divide Stokes County. Carried. The bill was then taken up, read, and passed second time.

A message from the Senate was received, transmitting resolutions respecting slavery in the Territories. Passed 1st reading, and on motion of Mr. Person, of Moore, made the order of the day for half past 10 o'clock to-morrow.

Mr. Stanly moved to take up the bill for the relief of the Wilmington and Raleigh Railroad.—Carried.

The bill was then taken up, and Mr. Brogden offered an amendment to the 1st section. Rejected.

Mr. B. offered an amendment to 12th section, which was adopted.

Mr. Stevenson moved that the Rules of the House be enforced, and the name of the gentleman from Edgecombe be called.

The name of Mr. Thigpen was then called, but he refused to vote, saying that "one man could lead a horse to water, but a thousand men could'nt make him drink."

Mr. Stevenson withdrew his motion.

Mr. Nixon was excused from voting on the ground of his being a stock-holder.

The bill passed its 2d reading—Ayes 77, Noes 30.

On motion, the bill was made the order of the day for 3 o'clock to-morrow.

Mr. Nichols, by consent of the House, introduced resolutions in relation to the re-opening of Roanoke Inlet. (It should be known that the resolutions recognise the principle of Internal Improvement by the General Government. When the Ayes and Noes were called, on the passage of the Resolution the 2d time, there were only four or five who voted in the negative, but before the votes were *examined* many gentlemen changed their votes.) The resolutions passed 2d reading, Ayes 77, Nays 21.

Mr. Leach moved to make the bill to incorporate the Charlotte and Danville Railroad the order for 12 o'clock to-morrow; which after some discussion, was agreed to.

Mr. Fischer moved to take up and consider the resolution in relation to a message in the Senate proposing to adjourn sine die on the 28th Jany. Carried.

The resolution was then read.

Mr. Mebane moved to amend by saying 29th.—Adopted. The resolution as amended was adopted.

The House then took recess.

NIGHT SESSION.

The resolution in favor of B. H. Stanmire was taken up and passed.

Mr. Blow, from the Committee on Education, reported the bill to repeal so much of the Common School law as provides for a Committee of Examination, with a recommendation that it do not pass. The bill was rejected.

Mr. Coleman called up the bill for the relief of citizens of Buncombe County.

The bill was then read the second time, with the report of the Committee recommending that it do not pass.

Mr. Jones, of Rowan, enquired how much money was probably involved in this bill?

Mr. Coleman answered, that this was a public matter. The land was sold by the Sheriff—the citizens of the State were invited to purchase this land, but the title not being secured to the purchasers, the lands were taken away. The States was at the bottom of this transaction. She must either refund or repudiate. The amount involved was some $3,000.

Mr. Stanly moved to lay the bill on the table, which prevailed.

A number of engrossed bills and resolutions from the Senate, passed their first reading.

The bill concerning Pilots being then taken up, Mr. Farrow addressed the House in opposition to the bill. He was replied to, and the bill advocated, by Mr. Stevenson, to whom Mr. Farrow made a brief rejoinder.

Messrs. Pigott, Paine and Stanly further discussed the bill; after which, it was rejected.

The House then adjourned.

SATURDAY, Jan. 20.

SENATE.

Mr. Moye introduced a bill to prevent obstructions to the passage of fish up Swift Creek in Edgcombe, which passed its first reading.

Mr. Albright, a resolution to authorize the Public Treasurer to alter the mode of printing of the Public Laws, which was unanimously adopted.

A number of engrossed bills and resolutions from the House, passed their first reading.

The engrossed bill establishing a system of Intertational exchanges, as proposed by Mr. Vattemare, passed its third reading, unanimously, and is therefore a Law.

The special order being the Reports of the Committee on Privileges and elections, was taken up, and a call of the House ordered—Forty-two Senators were present.

D. K. McRae, Esq. Counsel for John Berry, then appeared and took his seat.

Mr. Gilmer called for the reading of certain portions of the testimony which he designated.

Mr. Moye offered the following resolution:

Resolved, That the Senate confirm all the votes agreed on by a majority of the committee, which votes do not conflict with the opinions of the Supreme Court; and the Senate then take up the votes illegal, given to Mr. Waddell, and determine them, and then the votes alleged to be illegal as given to Mr. Berry, and apply the evidence to them, and determine the whole matter accordingly.

Mr. Gilmer objected to this resolution and had commenced a Speech against it.

When the Senate took a recess.

EVENING SESSION.

Mr. Gilmer moved that the further consideration of the contested election case be postponed to Monday next, at 3 o'clock, P. M. which prevailed.

The bill in relation to purchasers of Cherokee lands was taken up, on motion of Mr. Thomas, of Haywood, and read.

Mr. Patterson felt it his duty to move an amendment to the bill by restoring the 7th section, which was stricken out of the bill on the second reading.

Mr. P. supported his amendment, in a number of remarks, as reasonable and right, repeating his former arguments upon this subject, which, he believed, had not been, and could not be, answered.

The amendment was opposed by Mr. Thomas of Haywood, and advocated by Mr. Smith, to whom Mr. Thomas rejoined. Mr. Patterson also made an explanation.

The question was then taken, and the amendment prevailed, yeas 22, nays 16.

The bill then passed its third reading.

On motion of Mr. Thomas, of Davidson, the Senate took up the bill to incorporate the North Carolina Railroad Company, which was read the second time.

The bill passed its second reading, Ayes 22, Noes 19—Not a test vote.

The bill concerning tax on transient merchants was reconsidered, and the bill laid on the table.

And the Senate adjourned.

HOUSE OF COMMONS.

The Speaker announced the special order, the Resolutions concerning Slavery.

Mr. Stanly offered the following amendment:

Resolved, That we believe the people of North Carolina, of all parties, are devotedly attached to the Union of the United States, that they regard it as a main pillar in the edifice of real independence, the support of tranquility at home, of peace abroad, of safety, of property, and of that very liberty they so highly prize; that they cherish a cordial, habitual, and unmovable attachment to it, and that they watch for its preservation, with jealous anxiety; that they believe it is the duty of their public servants to discountenance whatever may suggest even a suspicion that it can in any event be abandoned and to "repel indignantly every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts."

This amendment was adopted by a vote of 55 in the affirmative to 33 in the negative.

Mr. Stanly then took the floor and addressed the House at some length on the Resolutions. (The speech of Mr. S. will hereafter appear. Mr. Taylor, of Nash, followed in a few remarks.

Mr. Jones, of Rowan, said he wished to see if there was any new alarm felt by the House since the word "alarm" was stricken out of the Resolutions when they were before this body. (The resolutions under consideration came from the Senate; similar ones were on the table of the House.) He would therefore move to strike out of the 3d Resolution the word "alarm."

The question was then put and the House refused to strike out by Ayes 48, Noes 50.

The House then proceeded to vote upon the resolutions separately.

The vote on the 1st was Ayes 104, Noes 1; on 2d Ayes 97, Noes 1; on 3d Ayes 89, Noes 10.

When the name of Mr. Ted. R. Caldwell, was called, he arose and said he would vote aye, protesting against the word "alarm."

Before the vote on the 4th resolution, Mr. Blow said:

Mr. Speaker:—I have voted against the resolutions as reported by the Committee, and shall continue to do so. I, sir, preferred the resolutions that were reported to this House, by the able and distinguished gentleman from Richmond. I voted for those resolutions, and should have continued to do so until this time. I opposed the reference of the resolutions to a committee, and was fully satisfied of the propriety of that vote, when I read those "very alarming" strings of abstractions as reported by the committee. The resolutions, as reported by the gentleman from Richmond, were the product of a mighty mind, a shining light of the age, and whatever sins he may have to bear, he never will be accused of a desertion of the interests of the South. I shall, solitary and alone even if necessary, continue to vote against the substitute of the committee, believing that nothing of the sort can do any good, and that I show my devotion to the Union of these States, by voting for the resolution of my friend from Beaufort.

Mr. Stanly offered an amendment to the 4th resolution, to strike out "not only" in the 6th line, the word "but" in the 7th and insert *and* in its place.

On this Mr. Jones, of Rowan, raised a point of order. The Speaker decided the amendment to be in order. Mr. J. then appealed from the decision of the Chair, which was reversed.

The question was then taken on the 4th resolution and passed. Ayes 74, Noes 10.

The 5th, passed, Ayes 87, Noes 6. The 6th, passed Ayes 65, Noes 23. The 7th, passed without a count.

Mr. Stanly moved to reconsider the vote on resolution requiring the resolutions concerning slavery to be disposed of before other business shall be considered.

Mr. Stanly withdrew his motion on Mr. Person's expressing a willingness to move for a suspension of the Rules.

Pending which, the House took recess.

EVENING SESSION.

Mr. Dobbin moved to suspend the Rules in order to take up the resolutions concerning Slavery. Carried.

The question was then taken on the Resolutions separately. The 1st passed Ayes 89, Noes 2: the 2d passed, Ayes 80, Noes 2: the 3d passed, Ayes 83, Noes 5: the 4th passed, Ayes 70, Noes 13: the 5th passed, Ayes 78, Noes 9: the 6th passed, Ayes 56, Noes 31.

Mr. Stanly said he would like to hear the names of Messrs. Courts, Person, of Moore, Dancy, and Thigpen called. Mr. Courts refused to vote. Mr. Thigpen was excused from voting. Messrs. Person and Dancy voted. Mr. Dancy said he was willing to vote for the 6th Resolution; the one offered by Mr. Stanly—as a distinct proposition, but he voted against it as an "unnecessary appendage to the original resolution." Mr. Courts changed his mind and concluded to vote: Messrs. Mebane and Nicholson refused to vote.

The bill for the relief of the Wilmington and Raleigh Rail Road was then taken up.

Mr. Mebane offered several amendments to the bill. Messrs. Rayner, Leach, Smith, Williams of New Hanover, and Jones, of Orange, addressed the House on this question.

On motion of Mr. H. C. Jones, the House adjourned until Monday morning 10 o'clock.

MONDAY, Jan. 22.

SENATE.

After the usual morning business, a message was received from the House transmitting the engrossed Resolutions of the Senate on the subject of Slavery, with Mr. Stanly's amendment.

The question on concurring in the amendment was then taken, All the members present, voted in the affirmative, except, Messrs, Collins, Moye and Speight.

A number of engrossed bills from the House were read the first time.

An amendment to the common school bill, making it imperative on the County Courts to lay a tax to the amount of one-third of the school fund received by each County, was concurred in, Ayes 20, Noes 17.

The Senate took up the special order of the day, being the bill to provide for amendments to the constitution of the State—which was read the second time.

Mr. Shepard moved to strike out the Preamble—all those *whereases*, which motion was supported by Mr. Smith.

Mr. Woodfin opposed the motion.

[We really regret our inability to report this debate. Such is the pressure on our columns, we could not publish it for some time to come. It will give us pleasure to publish the speeches of Senators hereafter, if they will furnish them.]

Mr. Gilmer moved to strike out the Virginia word "commonwealth," wherever it occurs, and insert the North Carolina word "State;" which prevailed. The question was then taken on striking out the Preamble, which failed, Ayes 20, Noes 26.

Mr. Hawkins moved to lay the bill on the table until the 4th of March, which was negatived, Ayes 18, Noes 28.

Mr. Woodfin proposed an additional Section, to which Mr. Smith moved an amendment.

[Mr. Woodfin's disturbs the basis of representation in both Houses. The effect of Mr. Smith's would be, in accordance, to take the tax off a portion of the black polls, so as to lay it on all polls alike.]

The principle involved was debated between Messrs. Smith, Woodfin, Shepard, Bower, Gilmer and Worth; when the question was taken on the amendment of Mr. Smith, which was rejected, Ayes 19, Noes 27.

Mr. Gilmer moved to strike out "free white," in Mr. Woodfin's amendment, and insert "federal" in its place.

[The effect would be that the Senate would not represent taxation.] The amendment was rejected, Ayes 8, Noes 37.

Mr. Gilmer offered an amendment making the representation in the House of Commons depend on the white population, and not Federal numbers. Ayes 13, Noes 36. The amendment was rejected.

And the Senate took recess.

AFTERNOON SESSION.

The Senate proceeded to the consideration of the special order, being the contested Election from Orange.

The case was then opened by Mr. D. K. McRae, counsel for the sitting member.

Without concluding, the Senate adjourned.

HOUSE OF COMMONS.

Mr. Caldwell, of Burke, offered a Resolution to consider no other business until the Revenue bill be disposed of. Adopted.

The bill was then taken up, and the question taken on the amendment offered by Mr. Barringer. Adopted.

Mr. Leach, of Davidson, offerred an amendment to the 5th Section to tax Pianos and Harps, except those used in Seminaries of learning. Adopted.

Mr. Clement offered an amendment, to strike out 100 and insert 50 as tax on Gold and Silver plate. Adopted.

Mr. Jones offered an amendment to tax all persons who bring Horses, Hogs, &c. into the State for sale, the sum of $10, in every County where they are offered for sale.

The amendment of Mr. H. C. Jones passed, Ayes 57, Noes 38.

The House then took recess.

EVENING SESSION.

The Huse resumed the consideration of the bill to increase the Revenue of the State.

Mr. Mebane moved to strike out the word "Capital" and insert the words "interest, dividend and profit." Carried.

Mr. Jones, of Rowan, offered an amendment to tax "playing cards." Adopted.

Mr. Steele offered an amendment to tax Retailers of Spirituous Liquors $10 instead of $15. Also, to tax Billiard Tables $200.00 instead of $300.00. Adopted.

Mr. Jones, of Rowan, offered an amendment to tax Nine and Ten Pin Alleys $25. Adopted.

The question was then taken on the passage of the bill as amended, and decided in the affirmative, 65 to 25.

Mr. Person, of Northampton, reported adversely to the Resolution to elect the State Librarian by the Legislature. Concurred in.

The House took recess.

NIGHT SESSION.

The engrossed resolution concerning the Raleigh and Gaston Rail Road, was taken up, and passed its 2d and 3rd readings.

The bill supplemental to the bill for the improvement of Deep and Cape Fear Rivers above Fayetteville, was next taken up.

Mr. Mebane offered an amendment, which was adopted. On this question several gentlemen addressed the House.

The bill passed its 2d reading—Ayes 69, Noes 29; and its 3rd, Ayes 55, Noes 27.

A number of Private Bills passed their 3d reading, and the House then, on motion of Mr. Hayman, adjourned.

SENATE.

THURSDAY, Jan 23.

The engrossed bill from the Senate to incorporate Rock Spring Tent No 180, I. O. O. R. in Wilmington, passed its second and third reading.

The Senate took up the bill to amend the Constitution, the question being on its passage. The Yeas and Nays were called for—*three-fifths* of the Senators being necessary for its passage. Ayes 25, Noes 19—not three-fifths, so the bill was *rejected*.

The Senate then resumed the Contested Election case from Orange, and Mr. McRae resumed his argument in behalf of the Sitting member, and concluded.

Mr. Gilmer rose in reply; when the Senate took a recess.

AFTERNOON SESSION.

Mr. Bower asked leave to withdraw the resolutions offered by the portion of the Comsitee on behalf of which he made a report. Objection being made, no question came before the Senate.

Mr. Gilmer then proceeded to address the Senate in reply to the Counsel for the sitting member.

The further consideration of the question was postponed until 3 o'clock tomorrow.

The Senate then adjourned.

HOUSE OF COMMONS.

Mr. Satterthwaite presented the following Protest:

The undersigned being of the minority do hereby solemnly protest against the vote of the majority of the House of Commons, on the 20th day of January 1849, which

2. *Resolved*, That the proceedings of the Convention, by which the Federal Constitution was framed, clearly demonstrated that the institution of slavery was maturely considered, and that the Union of the States was finally secured by incorporating into that instrument, distinct and ample guarantees of the rights of the slaveholder.

3. *Resolved*, That we view with deep concern and alarm the constant aggressions on the rights of the Slaveholder by certain reckless politicians of the North; and that the recent proceedings of Congress on the subject of slavery are fraught with mischief—well calculated to disturb the peace of our country, and should call forth the earnest and prompt disapprobation of every friend of the Union.

4. *Resolved*, That the enactment of any Law by Congress, which shall abolish slavery or the slave trade in the District of Columbia, or shall directly or indirectly deprive the citizens of the States, of the right of emigrating with their slave property into any of the territories of the United States, and of exercising ownership over the same while in said territories, will be an act not only of gross injustice and wrong, but the exercise of power contrary to the true meaning and spirit of the Constitution, and never contemplated by the framers thereof.

5. *Resolved*, That while we do not intend hereby to be understood as conceding that Congress has the power under the Constitution to enact a law prohibiting slavery in any portion of the territories of the United States; yet, for the sake of preserving the peace and promoting the perpetuity of the Union, we are willing that the basis of the Missouri Compromise should be adopted in reference to the recently acquired territories of New Mexico and California, by extending the line then agreed upon to the Pacific Ocean.

6. *Resolved*, That a copy of the foregoing resolutions be signed by the Speakers of the Senate and House of Commons, and forwarded to our Senators and Representatives in Congress, with a request that they be laid before their respective Houses.

First. Because the name and authority of the State of North Carolina, has been usurped to denounce "aggressions" upon our rights which are not enumerated, to reprobate certain politicians of the North," who are not named, and to *intimate* a forcible resistance to "recent proceedings in Congress," (perhaps the future action of the General Government,) which are not defined!

Secondly. Because this General Assembly was not elected to revise the proceedings of Congress, nor to resist the General Government, nor to denounce in the name of North Carolina, other portions of this confederacy. But if we had been chosen for that purpose, it would be due to the dignity and character of the State, that her remonstrance against any aggressions, upon the rights and her warnings against any mischiefs which are sincerely believed to be likely to disturb the "peace" of the country, should be spoken (if uttered at all) with plain and manly sincerity, not in unmeaning generalities.

Third. Because in one part of said resolutions, it is asserted as a principle of the Constitution, that Congress has no power to prohibit the extension of Slavery in "any of the Territories of the Union," and yet in the next, it is declared that we are willing it should be done by Congress, regardless of the Constitution, provided "we" are not understood as thereby conceding the power of Congress to do it! all which appears to the undersigned to be a plain absurdity.

Fourth. Because if Congress does possess the power under the Constitution to prohibit Slavery in the Territories, now freed the first proposition is false, and if Congress have no such power, then the second proposition is nothing more or less than a recommendation to Congress *to violate the Constitution*, which they and we (their assumed advisers) have all solemnly sworn to support.

Fifth. The undersigned protest against the vote of the majority in this whole proceeding, as being well calculated (they will not say designed) to make the impression that the people of North Carolina would be willing under certain contingencies, to give up the Union of the States, and to that extent give encouragement to "reckless politicians" of the South, as well as of the North, who seem determined to "rule or ruin." Whereas, this General Assembly must know, that such an impression would be doing great injustice to our constituents.

Sixth. The undersigned protest against the vote of the majority, because all such Resolutions are useless, and unprofitable, more especially as the majority have themselves voted that the institution of slavery was "maturely considered" in the convention which framed the Federal Constitution, "and that the Union of the States was finally secured by incorporating into that instrument distinct and ample guarantees of the rights of the Slaveholder." But if any vote of a majority of this General Assembly could give either more "distinct" or more "ample" guarantees, it may at least be doubted whether we add to those guarantees, by solemnly asserting what are the rights of slaveholders under the Constitution only for the sake of volunteering our advice to disregard it, and *that* for no better reason than that it has been done before! thus commending the Constitution as the better theory! but its violation as the better practice for statesmen, and for the protection of Southern rights!

F. B. SATTERTHWAITE,
EDW'D. STANLY.

We adopt the foregoing as our protest.

JNO. Y. HICKS,
D. F. CALDWELL,

Mr. Leach presented petitions respecting Religious Societies. Referred to Committee on Propositions and Grievances.

Mr. McIntosh introduced a bill for the better organization of the Militia in Iredell. Passed 1st and 2d readings.

Mr. Mebane a bill concerning Appeals. Passed 1st and 2d reading.

Mr. T. R. Caldwell, a bill to amend an act to incorporate a Turnpike from the county of Burke, to some point in South Carolina.

Mr. Isaac White presented a memorial asking to have the Lunatic Asylum located at Ashboro'. Laid on the table.

Mr. Satterthwaite, from the Judiciary committee, reported adversely to a bill to amend the 7th sec. Rev. Stat. Indefinitely postponed.

Mr. Rayner, a bill concerning a Convention to amend the Constitution of the State. Made the order for 3 o'clock.

The order of the day, the bill to establish a Plank Road from Fayetteville to Salisbury, was taken up;

Mr. Williams, of New Hanover, offered an amendment, which was adopted, Ayes 45, Noes 44.

The bill passed, Ayes 56, Noes 40.

A message was received from the Governor, transmitting a communication from the Commissioners of the Raleigh and Gaston Railroad—which, on motion of Mr. Williams of New Hanover, was sent to the Senate, with a proposition to print.

Mr. Satterthwaite, from the Judiciary Committee, reported favorably to the bill to exempt the estate of the late Col. Wilson from taxation. Indefinitely postponed.

The order, the bill for the relief of the Wilmington and Raleigh Railroad, was next taken up.

Mr. Rayner offered an amendment which he advocated at length. He was replied to by Messrs. Mebane, Stanly, Thigpen and Dobbin. Mr. Dobbin had not concluded his remarks when the House took recess.

EVENING SESSION.

The special order, the bill supplemental to an act to establish the Lunatic Asylum, was taken up.

Mr. Stanly addressed the House on this subject, and moved to strike out "Lexington." The whole sitting was occupied in the discussion, when the question was put upon the motion of Mr. S. and the House refused to strike out.

Mr. Ballard moved to reconsider the vote just taken.

On motion of Mr. Satterthwaite, this motion was laid on the table; and on motion of Mr. Mebane, the further consideration of the subject was postponed until Thursday next.

The House then took recess.

NIGHT SESSION.

Mr. Rayner called up the bill concerning a Convention to amend the Consitution of the State.

Several amendments were offered to the bill, but they were all rejected.

The question was then taken on the passage of the bill, and a majority having voted in the affirmative, the Speaker decided that the bill had passed its 2d reading.

The decision of the Chair was appealed from, and on this question the House was addressed by Messrs. Stanly, Rayner, Dobbin, Mebane, Clement, and Mosely. Before the question was taken on the appeal, the House adjourned.

SENATE.

WEDNESDAY, Jan. 24.

A number of engrossed bills from the House of Commons passed their first reading.

A message was read from the Governor in relation to the Raleigh and Gaston Railroad, and the proposition of the House to print. Concurred in.

The Senate then took up and considered the message from the House in relation to adjourning *sine die*, on the 29th which was concurred in, Ayes 42, Noes 4.

The bill to make better and more suitable, provision for *feme covert*, was debated by Messrs Smith, Joyner, and Woodfin. The bill then passed its third reading, Ayes 33, Noes 8.

Several reports from Select Committees were made, and the bill concerning Oysters was laid upon the table.

Mr. Murchison called up the bill to incorporate Fayetteville and Salisbury Plank Road Company, which was read the second time, and passed, Ayes 22, Noes 20—the vote not being considered *a test*.

Mr. Worth called up the bill for the improvement of Cape Fear and Deep Rivers, which was read the second time.

The Charlotte and Danville Railroad bill was offered by Mr. Bower, as an amendment to this bill.

The Senate took recess.

EVENING SESSION.

The Contested Election case from Orange coming up, Mr. Speight moved to lay the whole subject on the table, which he afterwards withdrew.

Mr. Lillington was opposed to this mode of evading a decision upon this subject. If gentlemen are disinclined to go into this investigation, they should not seek to shift the responsibility upon the fast escaping time which remains of the session. The subject has been under consideration for a long time—the Committee have been engaged in a laborious investigation of it for three weeks—and we are to be told now that no decision is to be had, and one member actually proposes to lay it over beyond the period of the session, to the 4th of March—by which the claims of justice will be defeated. Mr. L. went on in an earnest and animated manner to press for a decision of this case, and, in conclusion, moved to postpone the matter until 3 o'clock on Friday, to give time for members to come to a decision. The motion prevailed, Ayes 22, Nays 21.

A number of Private bills passed their second and third reading.

The Cape Fear and Deep River bill was then taken up, and Mr. Bower withdrew his amendment, being the Charlotte and Danville Road bill. The bill passed its second reading, Ayes 25, Noes 15—no test.

The Charlotte and Danville Road bill then passed its second reading, Ayes 23, Noes 18—no test.

On motion of Mr. Hargrove, the bill to incorporate the Granville Mechanic Association, was taken up, and passed its second and third readings; also the bill to incorporate Lafayette Division Sons of Temperance; and the resolution in favor of B. F. Moore.

The Senate took a recess until 7 o'clock.

NIGHT SESSION.

A number of bills and resolutions, chiefly of a private nature, passed their second and third reading, viz:

A bill concerning fences on Meherrin river in Hertford; the resolution in favor of Joseph Kearney and Howell Cook; the bill making it the duty of Sheriffs, &c. to make deeds for lands and slaves sold under execution; resolution in favor of Samuel Canaud, of Plymouth; the bill concerning public roads in Brunswick and Beaufort Counties; to incorporate Germanton Lodge of Ancient York Masons, No 116, in Stokes; to lay off a road in Yancy County; to amend the Revised Statute entitled Revenue; [lays a tax of $10 on retailers of Spirituous Liquors; Ayes 27;] to amend an act to appoint commissioners for Rockford, in Surry; to authorise Maj. John Clark, of Beaufort to make a road on his own land; to incorporate Tarbian Association in Wilmington; resolution in favor of N. D. Marriner, late Sheriff of Martin; a bill to regulate fishing in the mouth of Raymond's Creek, in Camden; to prevent the sale of spirituous liquors within three miles of Floral College; to incorporate the town of Sladesville, in Hyde; to incorporate South Creek Swamp land Company; resolution in favor of Jos. W. Livingston, of Henderson; to incorporate the Trustees of Plymouth Academy; to amend an act to incorporate the town of Wilkesborough. The Senate then adjourned, Ayes 13, Noes 12.

HOUSE OF COMMONS.

The Speaker decided that the vote of a majority was only necessary to pass the bill concerning a Convention to amend the Constitution, which was acted on last night.

Mr. Stanly appealed from the decision of the Chair, and the decision was reversed.

Mr. Stanly moved to lay the whole matter on the table. Lost, Ayes 12, Noes 88.

Mr. Caldwell, of Guilford, moved to reconsider the vote by which the bill was rejected. Lost—77 Ayes, 25 Noes.

Mr. Steele introduced a bill for the improvement of Lumber River. Read 1st time.

Mr. Pigott, a bill to repeal an act entitled an act to prevent the fire-hunting of fowls. Referred to the Committee on Propositions and Grievances.

Mr. Stanly, a bill concerning the Keeper of the Capitol, &c. Passed 1st reading.

A message was received from the Senate, concurring in the proposition to adjourn *sine die* on 29th.

Mr. Courts, from the committee on Propositions and Grievances, reported unfavorably to the bill to amend an act concerning Religious Societies. The bill did not pass.

The bill for the relief of the Wilmington and Raleigh Railroad was then taken up, the question being on the amendment of Mr. Rayner.

On this bill, there was a discussion, which continued until the House took recess.

EVENING SESSION.

Leave of absence was granted to Mr. Farrow, from and after to-day.

On motion of Mr. Stanly, the bill relating to fishing in Tar River was taken up—and the House refused to concur in the amendments of the Senate.

The following Bills and Resolutions passed 3d reading:

The bill to amend the 11th sect. 19th ch. Rev. Stat. concerning Prison bounds; Supplemental to an act to divide the county of Stokes; to incorporate Shelby Male and Female Academies; Resolutions relative to Roanoke Inlet; A bill supplemental to an act to provide building for the Deaf, Dumb and Blind; to incorporate Perquimans Academy; for regulating dismissals of appeals in Supreme Court &c. &c.; to attach a portion of Burke to Catawba; for better organization of the militia in Iredell.

The following passed 2d reading. Bill to incorporate Kinston in county of Lenoir: (The bill to establish a new county by the name of Lafayette was indefinitely postponed. Mr. T. R. Caldwell advocated the passage of the bill.)

The bill to increase the Revenue of the State was taken up.

Mr. Stanly moved to amend 1st sec. by striking out "*two*" and inserting *three*. Adopted.

Mr. McDowell opposed adoption and Mr. Stanly advocated it.

Mr. Rayner moves to strike out of 2d sec. the word "*two*" and insert *three*. Adopted

Mr. Farrow moved to strike out of the 2d sec. "sailing and steam vessels." Rejected.

Messrs. Farrow, Stevenson, Jones of Orange, Rayner, Williams of New Hanover, and Pigott supported the amendment.

Messrs. Stanly, Caldwell of Burke, and Satterthwaite opposed it.

Mr. Piggot offered an amendment to 2nd section excepting vessels under 20 tons burthen. Adopted.

Mr. Farrow offered an amendment to tax every road wagon $2. Rejected.

Mr. Barringer moved to amend by striking out $30 and inserting $60. Adopted.

Mr. Doak offered an amendment to 3d section. Rejected.

The House then took recess.

NIGHT SESSION.

The House resumed the consideration of the unfinished business of the morning, viz: the amendment of Mr T. J. Person to the amendment offered by Mr. Rayner, to the 11th section of the Bill for the Relief of the Wilmington & Raleigh Rail-Road; which, after some remarks from Messrs Person, Williamson and Stevenson, was rejected.

The question then recurring on the amendment of Mr. Rayner, was decided in the negative—Yeas 42, Nays 50.

Mr. Rayner then moved to strike out of the 11th sect. the words immediately preceeding the proviso of said section, viz: which it is hereby declared and enacted shall be executed under the previous provisions of this act: and all such other mortgages and pledges as may have been heretofore executed by said company, to secure the State against its loss by reason of her endorsement for said company, and in case of default by said company, the said mortgage so to be executed, shall be first satisfied;" which, after a discussion between Messrs Rayner, Barringer, and Caldwell, of Guilford for, and Messrs Stanly, Dobbin, Stevenson, Hayes, and T. R. Caldwell against the amendment, it was decided in the affirmative—Yeas 53, Nays 42.

Mr. J. M. Leach moved a reconsideration of the vote just taken, pending the consideration whereof, after debate between Messrs. Leach, Satterthwaite, McDowell, of Iredell, Stanly, Rayner and others, the House adjourned.

SENATE.

THURSDAY, Jan. 25.

Mr. Gilmer introduced three several bills, one of which was to provide for calling a convention to amend the State Constitution; Mr. Woodfin, a bill to provide for a survey of Catawba river; Mr. Ashe, a bill to extend the limits of the town of Wilmington, &c.; which bills passed their first reading.

A number of engrossed bills from the House passed their first reading.

The resolutions in favor of Ailey Modlin, of Franklin County, were taken up, and passed their second and third reading.

The bill to amend an act entitled an act to incorporate the Hickory Nut Turnpike Company, was debated by Mr. Miller for, and Mr. Woodfin against, when the bill passed its second and third reading.

Mr. Bethell moved to reconsider the bill to tax retailers of spirituous liquors $10 for license, which did not prevail, Ayes 11, Nays 23.

The engrossed bill to regulate the Courts in Gaston and Lincoln, was taken up, on motion of Mr. Conner, and passed its third reading.

Mr. Ashe called up the bill to incorporate the Fayetteville Plank Road Company, which was read third time.

Mr. Thompson, of Wake, defined his position. He was willing to go for the great Central Railroad—but was unwilling to connect with it projects too cumbrous to be sustained—he was willing that the Cape Fear navigation bill should accompany