

On motion of Mr. Hutchinson, a Message was sent to the Senate, (but not agreed to,) proposing to go into the election of a Senator in the Common Council of the United States, to fill the vacancy occasioned by the resignation of Mr. Mangum, and in forming the name of Mr. Strange is in that name of Mr. Strange is in

#### SENATE.

*Friday, Dec. 2.*

Mr. Montgomery, from the Committee on Propositions and Grievances, made a report on the petition of Ebenezer Petregrew and others, of Tyrrell county, which, on Mr. McLean's motion, was laid on the table.

The resolution to refer so much of the Governor's message as relates to the report of the public Treasurer, the revenue laws, and the Treasurer's bond, to the Committee of Finance, was taken up and adopted.

Mr. Bryan (of Carteret and Jones) presented a bill to amend the act authorizing the Governor to appoint commissioners to take the acknowledgement and proof of deeds and instruments under seal and depositions; which passed its first reading, and, on Mr. Adcock's motion, was made the order of the day for to-morrow.

Received a message from the Governor transmitting the report of W. H. Haywood, Junr., the Commissioner appointed to negotiate a loan of four hundred thousand dollars for the State, which was read and ordered to be transmitted to the House of Commons.

The Senate agreed to the proposition of the other House to raise a joint committee on public buildings, &c., proposing however, that said committee shall consist of five on the part of each House.

The Rules, Joint Rules, Amended Constitution of the State, and Constitution of the United States, were ordered to be printed.

Mr. Reinhardt introduced a resolution instructing the Judiciary Committee to enquire into the expediency of amending the Road law.

The Senate proceeded to the Orders of the day, and took up the bill relating to the taking of Sheriff's bonds. Mr. Dickey proposed an amendment thereto, when the bill and amendment were referred to the Judiciary Committee.

A report was made and adopted on the resolution in favor of S. M. Smithwick, & the blank filled with \$5840.

#### HOUSE OF COMMONS.

Mr. Satterwhite, from the Committee on Claims, to whom was referred the Resolution directing the Treasurer to receive certain descriptions of money for the purchase of Cherokee lands, reported favorably to its passage; whereupon, it passed its second and third reading, and was ordered to be engrossed.

The bill to divide Orange county, so as to form a new county by the name of Jefferson, was read the second time. Mr. Graham noticed, at some length, the objections which had been raised to the bill on Constitutional grounds, showing clearly that no provision of that instrument comes in conflict with the division of a county, the representation not being at all increased thereby.

Mr. Moore, of Halifax, conceded the soundness of the Constitutional doctrine advanced by Mr. G. but opposed the bill on grounds of expediency. The grievances complained of were not, he said, of that character which justified legislative relief, in the manner prayed.

On the question—Shall the bill pass its second reading?—the Ayes and Nays were demanded, and stood as follows: For the passage of the bill 48.—Against it 63. So the bill was rejected.

Mr. Clayton introduced a Resolution in favor of John Miller. Referred to the committee on claims.

The Resolution in favor of Eliakim Cox and Titman Vestal, was reported from the Committee of Claims without amendment, passed and ordered to be enrolled.

#### SENATE.

*Saturday, Dec. 3.*

A message was received from the House of Commons, proposing that the two Houses vote this day at 12 o'clock for Senator to supply the vacancy occasioned by Mr. Mangum's resignation. Agreed to—and Hon. Thomas Settle, on motion of Mr. Bryan, of Carteret and Jones, was added to the nomination.

The petition of Daniel McDonald, praying the Legislature to grant him a warrant for land, was presented by Mr. Kelly. Referred to the Committee on Claims.

Mr. Carson presented a resolution, authorising the Governor to draw on the Public Treasurer for money to defray the contingent expenses of the Cherokee Land Sales. Referred to the Committee on Claims.

Mr. Bryan, of Carteret, presented a bill to give to lessors of lands a lien upon the crops of their lessee, for rent. Passed its first reading.

The hour of 12 having arrived, Messrs. Kelly and Arrington were appointed to superintend the election of Senator. The Senate proceeded to vote—and the result will be found under the Raleigh head.

A message was sent to the Committee, proposing to ballot on Monday for a Comptroller and Public Printer, but no answer was returned.

Mr. Gilliani, by the Senate of the unicameral Assembly of North Carolina, That we hearted with deep regret and unfeigned sorrow at the death of Hon. Jesse Wilson, a Senator elect of this body, from the first Senatorial District of the State, and that, in common with the community at large, we lament the loss of the talents, the virtues and eminent worth which, by his death, we have all sustained.

Resolved, That the Senate will wear the usual badge of mourning as a token of respect they bear to his memory.

Mr. Montgomery, from the Committee on Propositions and Grievances, reported a resolution directing the Secretary of State to issue a duplicate warrant for land in favor of Capt. William Williams, or his representatives, which was read the first, second and third times and passed.

A bill to incorporate the Milton Manufacturing Company, received from the Commons, passed its first reading. Made the order of the day for Monday next.

The act to amend the act authorising the appointment of commissioners by the Governor to take the acknowledgement and proof of deeds and instruments under seal and depositions; which passed its first reading, and, on Mr. Adcock's motion, was made the order of the day for to-morrow.

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#### HOUSE OF COMMONS.

Mr. Courts, from the Committee of Propositions and Grievances, made a favorable report on the petition of Miles Howard, of Halifax. Concurred in.

Mr. Jordan, who voted yesterday with the majority on the question of rejecting the bill to divide Orange, with a view to the erection of a new county, moved for a re-consideration of that vote. He said that his vote against the passage of the bill proceeded from Constitutional objections; but on more mature reflection, he had changed his opinions, and was now prepared to go for it. The House, however, refused to re-consider.

Mr. Satterwhite introduced a bill to define what is meant by the word "Returns" in the Constitution of the State, in the clause which treats of the election of Governor; and, also, to compensate Sheriffs for attending to the election of Governor, &c. Mr. S. explained the objects of the bill, when it passed its first reading.

A resolution from the Senate proposing that the Speakers of the two Houses notify the Hon. Robert Strange of his election as Senator concurred in.

A message was received from his Excellency, the Governor transmitting the returns of the several Sheriffs of the State of votes given for Electors of President and Vice President of the United States, and announcing the result. The message was read, and, on motion, sent to the Senate.

last in three months. Postponed until Wednesday.

The resolution on the subject of moneys received on account of the sales of Cherokee lands, which was amended on Mr. Bryan's (of Carteret) motion, and adopted, authorises Public Treasurer to receive Georgia and South Carolina notes of the denomination of five dollars and upwards already received by the Commissioner.

#### HOUSE OF COMMONS.

Mr. Graham, from the Committee on the Judiciary, reported unfavorably on the resolution proposing to increase the compensation to witnesses, where they attend Court in other countries.

Concurred in.

Mr. G. from the same committee, reported a bill declaring that the shares of stock in incorporated Companies shall be deemed and taken as personal estate, with sundry amendments.—The bill was read the second and third time, and ordered to be engrossed.

Mr. G. from the same Committee, who were instructed to enquire into the expediency of amending the law so as to affix the penalty of whipping to the crime of malicious mischief in certain cases, reported against any Legislation on the subject. Concurred in.

The Speaker laid before the House the report of the President of the Raleigh and Gaston Rail-Road Company. Referred to the Committee on Internal Improvement.

Mr. Petty presented a bill limiting the time within which certain offences shall be presented, and prescribing the duties of Grand Juries in relation thereto. Read first time.

The bill increasing the liabilities of Sheriffs, was read the third time and ordered to be engrossed.

A resolution from the Senate, in favor of James Hart of Carteret, was read the first time.

The bill to receive the proportion of the Surplus Revenue to which the State is entitled under the act of Congress to regulate the Deposites of the public money was read the second time. On the passage of the bill, the Yeas and Nays were demanded, and not a dissenting vote was given against it. It was then read the third time, and ordered to be engrossed.

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#### SENATE.

*Tuesday, December 6.*

Mr. Kelly, from the committee on claims, reported a bill to allow George Williamson, one hundred and thirty-nine dollars for insolvent polls, for the years 1826, '27, '28, '29, '30, and '31, to be paid out of the treasury.—Passed its first reading.

Mr. K. from the same committee, reported a resolution authorizing the Governor to draw for expenses of Cherokee lands. So amended, on Mr. Carson's motion, that the amount should not exceed \$180. Read three times, and ordered to be engrossed.

Mr. Carson introduced a resolution, granting a grant for one hundred and twenty-eight acres of land in Rutherford, to issue to Samuel Gedney on a previous entry and survey, upon payment of the purchase money and fees. Passed three times, and ordered to be engrossed.

Committee on enrolled bills for the present week.—Messrs. Moore and Bunting.

Mr. Edwards made a report from the joint committee, on the subject of counting the votes for Governor, &c.—which was adopted. The two Houses are to assemble in the Hall of the Commons on the 15th inst.; one teller to be appointed on the part of the Commons—two on the part of the Senate, to make a list of votes. These to be delivered to the Speaker of the Senate, who shall announce the result to the two Houses.

By Mr. Morehead, a resolution to pay Turner & Hughes \$4 dollars for books and pamphlets furnished the Senate. Read three times & ordered to be engrossed.

Mr. Bryan, a resolution to instruct the Judiciary Committee to report a bill providing for biennial elections of Comptroller and Treasurer, and prescribing the mode of said election. Adopted.

Orders of the Day. A bill concerning bodies corporate, from the House of Commons, rejected on its second reading.

Mr. Bryan of Carteret presented a bill authorising Clerks and Masters in Equity in this State, to make title to real or personal property, sold by decree of a Court of Equity. Passed its first reading.

Mr. Fox presented a resolution on the subject of the surplus revenue. [Directs the committee on that subject to inquire into the expediency of dividing it among the counties in proportion to population and taxation.] Laid on the table, on Mr. Edwards' motion.

#### HOUSE OF COMMONS.

Mr. Maclin, from the Committee on Claims, reported the Resolution in favor of Wm. D. Alexander, without amendment, and it was read the second time.

Bills presented.—By Mr. Gilliani, to amend an act establishing a department for adjudicating and liquidating the public accounts of this State and for appointing a Comptroller, and for other purposes. [The object of the bill is to elect the Comptroller biennially, instead of annually, so as to conform to the amended Constitution.] By Mr. Hollingsworth, a bill restricting the term of Cumberland Superior Court to one week. By Mr. Moore, from the Committee on Revised Statutes, a bill ascertaining the mode of proving Book debts; also, a bill concerning Wrecks; also, a bill concerning Public Documents. Read first time.

The Resolution from the Senate, in favor of Simon Smithwick, passed its final reading, and was ordered to be engrossed.

The bill to emancipate the children of Miles Howard was ordered to be engrossed by a vote of 58 to 39, and sent to the Senate.

The House refused to concur in the Message from the Senate to go into the election of Public Printer.

Mr. Fisher, from the Committee on Internal Improvements, reported, with sundry amendments, the bill to incorporate the Norfolk and Edenton Rail Road. Read the second time.

The bill giving lessors of land a lien upon the crops of their lessee, for rent, was taken up by Mr. Edwards moved the following as a pre-

amble: that they should proceed to col-

#### TREASURER'S REPORT.

##### Treasury Department.

*Nov. 21, 1836.*

To the Honorable the General Assembly of the State of North Carolina.

In obedience to the directions of an Act of the General Assembly, passed at the Session of 1827, entitled "an Act concerning the Public Treasury," the Public Treasurer respectfully submits the following Report:

##### 1st. Of the Public or unappropriated Revenue and Expenditure.

The balance of cash in the Public Treasury on the 1st day of Nov. 1835, was

\$68,433.11

The receipts of the ensuing fiscal year ending on the 31st day of Oct. 1835, amounted to

150,109.56

Making an aggregate of

\$218,542.97

The disbursements during the same period amounted to

171,686.67

Balance 1st. Nov. 1835, as reported to the last General Assembly

46,856.30

The receipts at the Treasury Department for the last fiscal year, that is, from the 31st Oct. 1835, to the 1st Nov. 1836, amount to five hundred and thirty nine thousand five hundred and fifty nine dollars and ninety four cents, (\$39,559.94); and consists of sundry items, viz:

Cash received from sundry auctioneers, for tax on sales at auction,

1,159.06

Do received for entries of vacant land,

5,682.71

Do received from the Roanoke Navigation Company, for dividend of 1 1/2 per cent. on 300 shares of stock, appropriated to this fund, declared in Nov. 1833,

875.00

Do, do, for dividend of 1 per cent. on the same shares, declared in Nov. 1834,

300.00

Do, received from the Bank of North Carolina, for dividend of 2 1/2 per cent. on 34 shares of stock, subscribed 2d Nov. 1833,

85.00

Do, received from ditto, for dividend No. 2 of 2 1/2 per cent. on the same additional return of taxes (see statement A.)

517.81

Do, received from the Bank of Newbern for dividend of 7 per cent. on 1813 shares of the capital stock declared in Jan. 1836

13,726.00

Do, received from the Bank of Cape Fear, for dividend of 3 1/2 per cent. on 300 shares of the capital stock declared in December, 1835,

1,200.00

Do, received from the Bank of Cape Fear, for dividend of 3 1/2 per cent. on 921 shares, subscribed 2d March, 1836,

2,302.50

Do, received from do, for dividend No. 2 of 4 per cent. profit on the same shares subscribed as above,

3,684.00

Do, received from the Bank of the State for dividend No. 1 of 2 1/2 per cent. on 921 shares of stock, declared in June, 1836,

5,968.23

Do, received from the Bank of the State for dividend No. 3 of 2 1/2 per cent. on 237 shares of stock, subscribed 2d of August, 1836,