

on Cleveland, required adversely to the prayer of Mr. Stone. Concurred in.

On motion of Mr. Carson, a message was sent to the Commons proposing to raise a joint select committee to inquire into the failures of sheriffs who have not duly made returns of votes for Governor.

On motion of Mr. Shepard, the committee on the Judiciary were instructed to inquire into the expediency of amending the law on the subject so as to authorize a sheriff to make a deed for property sold by a predecessor, when the predecessor neglected that duty; and so to amend the law in relation to the sale of the real estate of deceased persons, that when the personal property is not sufficient to discharge the debts, a sufficiency of the real estate for that purpose may be sold without such an accumulation of costs as now exists.

On motion of Mr. Holder, the committee on Finance were instructed to inquire into the expediency of distributing among the several counties, the unexpended balance of surplus now on hand, and also the 4th instalment, should it be received, in aid of the county funds, or to be loaned out by them, and the interest only to constitute a portion of such funds.

Mr. Moore, from the committee on Propositions and Grievances, reported a bill to amend the inspection laws; which passed its first reading. Mr. Moore also presented a bill to compel the jailor of Stokes county to live in the jail, and for other purposes. Read the first time and passed.

The bill to incorporate the Lexington Manufacturing Company was taken up. Mr. Edwards moved an amendment, making the persons composing the company, on its dissolution individually liable for its debts to the extent of their respective shares.

Mr. Shepard moved to amend the amendment, by striking out all except the enacting clause, and inserting a proviso, constituting the directors at the time of the dissolution of the corporation, trustees to settle its concerns, pay the debts, and divide the surplus; which was negatived.

The question then recurring on the amendment of Mr. Edwards, it was decided in the affirmative, and the bill ordered to lie on the table.

#### HOUSE OF COMMONS.

The bill to establish the county of McDowell was rejected—55 to 51. A bill was presented to authorise the receipt at the Treasury, of South Carolina and Virginia notes.

#### SENATE.

Wednesday, Dec. 12.

The Speaker announced the following committees: Messrs. Cherry and Henry are added to the committee on the Currency and Banks as Depositories.—Messrs. Davidson and Kerr form the committee to wait on the Governor, and ascertain at what time it will suit his convenience to take the oaths of office. Messrs. Shepard, Edwards, Morehead, Exum and Myers, on the Louisiana Resolutions. Concurred in.

Mr. Jones, from the committee on Finance, to whom was referred the resolution relative to distributing among the several counties of the State the unexpended balance of the surplus now on hand, reported adversely thereto. Concurred in.

The bill to compel owners of bridges to construct draws, was read the second time, amended and passed.

Mr. Cooper presented a resolution to adjourn on the 22nd instant, which was ordered to lie on the table.

Mr. Exum presented a bill allowing compensation to the wardens of the poor in the county of Wayne; which was read and referred.

The bill to establish a county by the name of Stanly, was rejected—24 to 23.

On motion of Mr. Cherry.

Resolved, that the committee on Public Printing be instructed to inquire whether any, and if any what mode can be adopted for expediting the printing for the Legislature.

Mr. Dockery presented a resolution in favor of Mathew Waddell, Referred.

#### HOUSE OF COMMONS.

The proposition of the Senate to raise a joint committee to inquire into the failures of Sheriffs in making returns of votes for Governor, was concurred in, and Messrs. J. P. Caldwell, G. Thomas and Whitaker, were appointed a committee.

Mr. Ried presented a bill to incorporate the Phoenix Wool Manufacturing Company, of Fayetteville. Referred.

Mr. Crawford submitted a resolution, instructing the committee on Finance to inquire into the expediency of enacting a law imposing a tax on every hundred dollars loaned at interest, equal to the tax on so much real estate; which was rejected.

The bill to establish a county by the name of Cleveland, passed its third reading—36 to 53.

On motion of Mr. Gilliam, the committee on the Judiciary were instructed to inquire into the expediency of increasing the compensation of Clerks for making out transcripts of record.

Mr. Patton introduced a bill to empower the County Courts of Buncombe to draw jurors for each week of the Superior Court of said county. Referred.

Mr. Rand introduced a bill to emancipate Tom, the property of Chas. Dewey. Read first time.

Received from the Governor, by his private Secretary, a communication transmitting a letter from the Secreta-

ry at Warson the subject of ceding to the United States the Jurisdiction of the site on which the arsenal is now being erected in Fayetteville. Referred.

The engrossed bill to amend an act, passed in 1821, to incorporate the Roanoke Inlet Company; and the engrossed bill to authorise the County Court of Perquimons to purchase the bridge across Perquimons river, passed their third reading, and were ordered to be enrolled.

#### SENATE.

Thursday, Dec. 13.

On motion of Mr. Spruill, a resolution was adopted, instructing the committee on the Judiciary to inquire into the expediency of making it felony to steal mulberry trees, or their branches growing in orchards.

On motion of Mr. Morehead, the committee on Agriculture were instructed to inquire into the expediency of encouraging the culture of silk in this State, by suitable premiums.

Mr. Morehead presented a resolution directing the Public Treasurer, to pay to the trustees of the Presbyterian church \$100 for repairing the steeple of said church—the Legislature having had the use of the bell for four sessions. Read the first time and passed.

Mr. McDiarmid presented a resolution, which was adopted, instructing the committee on Claims to inquire into the expediency of providing for the payment of pension certificates in the year the Legislature may not be in session. Read the first time and passed.

Mr. Morehead presented a resolution authorising the Governor to procure a house for the use of the Legislature, provided there should be a call session; which past its first reading.

Mr. Moore presented a bill to alter the times of holding the Superior Courts for the counties of Stokes and Guilford; which past its first reading.

The bill to amend an act concerning quarantine, and to prevent the introduction of contagious diseases; and the bill to exempt the aged and infirm from being compelled to serve in fire companies, and upon guards, passed their third reading, and were ordered to be engrossed.

The engrossed bill for the better regulation of the town of Greenville; and the engrossed bill to incorporate Junto Academy, passed their third reading, and were ordered to be enrolled.

The resolution to adjourn on the 22nd instant was taken up, and amended by substituting, 31st instant instead of 22nd, and postponed until Thursday next.

Mr. Dockery presented the petition of many citizens of Robeson, praying that free persons of color be placed under such restrictions in buying and selling spirituous liquors, as to prevent the traffic. Referred.

Mr. Davidson, from the committee on propositions and grievances, reported the bill to amend the inspection laws; and respecting entries of lands paid for and not granted in Wilkes, were adopted, and ordered to be enrolled.

Mr. Winston from the committee on the Judiciary, to whom were referred the bill respecting the maintenance of bastard children, the resolution directing them to inquire into the propriety of making insulting language justification for assault and battery; so much of the Governor's message as relates to Executive right of pardon; and the resolution respecting trespasses and aggressions by citizens of other States and Indians made reports adverse to any legislative action on the several subjects referred to; which were concurred in.

Mr. Britton presented a bill concerning deeds of trust. Referred.

On motion of Mr. Crawford, the committee on the Judiciary were instructed to inquire into the expediency of enacting a law making provoking or insulting language justifiable cause of striking.

Mr. Mathews presented the petition of militia officers of Stokes; and Mr. C. Erwin, the petition of Thomas Douglass. Referred.

Mr. Britton presented a bill concerning deeds of trust. Referred.

On motion of Mr. Crawford, the committee on the Judiciary were instructed to inquire into the expediency of enacting a law making provoking or insulting language justifiable cause of striking.

Mr. Mathews introduced a bill to incorporate the Rutherford male and female Academies; Mr. Patton a bill supplemental to the act establishing the county of Henderson; and Mr. C. Erwin a bill concerning land peddlars; which were read the first time and passed, and the last mentioned subsequently rejected.

#### SENATE.

Friday, Dec. 14.

Mr. Shepard, from the committee on Internal Improvements, to whom was referred the memorial of the company, reported a bill for the relief of the Raleigh and Gaston Rail Road Company. [Provides for increasing the capital stock \$5,000,000, and extending the credit of the State to the company to enable it to raise that amount.] The bill ordered to lie upon the table and be printed.

Mr. Rabun presented a bill to amend an act of 1823, to amend an act of 1820, for repairing and improving the road from Old Fort, &c. to Asheville, &c. Mr. Moore a bill to authorise the forming a fire engine company, and appointing commissioners in the town of Bethania. These bills passed their first readings, and were referred.

The engrossed bill to incorporate the trustees of Davidson College, was amended, read the third time and passed, and sent to the Commons for concurrence.

The bill to incorporate the Greensboro Female College; the bill to amend an act concerning idiots lunatics; the bill to incorporate the Lexington Manufacturing Company; and the bill to compel owners of bridges to construct draws, were severally read the third time, the first mentioned amended, and ordered to be engrossed.

#### HOUSE OF COMMONS.

Bills presented.—By Mr. Crawford, a bill to amend an act to establish the Clemmonsville Academy; by Mr. W. A. Blount, a bill to repeal the 3rd section of an act of 1822, for the

organization of the militia of Beaufort county; by Mr. Wilson, a bill to amend an act concerning mills and grinders; also, a Bill to prevent the hauling of seines, or obstructing the passage of fish on certain days in Perquimons river; Mr. R. Jones, a bill to prevent the spreading of contagious diseases; and by Mr. Crawford a bill to attach portion of Bladen to Cumberland county. These bills passed their first reading.

Mr. J. T. Miller introduced the memorial of the President and Directors of the Wilmington and Raleigh Rail Road Company, in relation to the payment of the State's last instalment, &c. Referred.

Mr. Lane presented a petition from sundry officers and privates of the 56th Regiment. Referred.

On motion of Mr. Crawford, the committee on Agriculture were instructed to inquire into the expediency of encouraging the culture of silk in this State, by suitable premiums.

Mr. Wilson introduced a resolution to send a message to the Senate, proposing to adjourn sine die on the 31st inst.; which was adopted.

On motion of Mr. Nye, the House resolved to hold evening sessions from and after Monday next.

#### HOUSE OF COMMONS.

Mr. Siler presented a bill to lay off and establish a county by the name of Cherokee. Mr. G. W. Caldwell, a bill to lay off and establish a county by the name of Union. Read first time.

Mr. Winston, from the Judiciary Committee, reported unfavorably on the bill authorizing the Public Treasurer to receive South Carolina and Virginia money. Mr. W. also reported adversely to the bill empowering the County Courts of Buncombe to draw jurors for each week of the Superior Court of said county. Ordered to lie upon the table.

The engrossed bill to incorporate the Trustees of Davidson College was ordered to be enrolled.

Mr. Gilliam presented a memorial from the President and Directors of the Bank of Cape Fear, praying an amendment of their charter. Referred to the select joint committee on Banks.

Mr. Hoke presented a memorial from the President of the Southwestern Rail Road Bank, praying a modification of the charter. Read and laid on the table.

The engrossed bill to compel owners of Bridges to construct Draws was read the second time and rejected.

Mr. Hill, from the joint committee on the subject, reported that the Governor would appear before the two Houses on Saturday, the 29th inst. and take the Oaths of Office as Governor.

The House resolved itself into a committee of the whole. Mr. Hill in the Chair, on the political Resolutions introduced by Mr. Rayner. Mr. Whittaker, of Halifax, took the floor, and in an able and eloquent speech, advocated the resolutions; but before he had concluded his remarks, gave way to a motion to adjourn.

#### SENATE.

Saturday Dec. 15.

The engrossed bill to extend the time for paying in entry money; and the engrossed bill to appoint commissioners for the town of Hertford, were read the third time, passed, and ordered to be enrolled.

The bill to alter the time of holding the Superior Courts for Stokes and Guilford, passed its third reading, and was ordered to be engrossed.

Mr. Franklin introduced a resolution in favor of Hiram Higgins and Solomon Perry, which was read and referred.

Mr. Davidson, from the committee appointed to wait on the Governor, and ascertain at what time it will suit his convenience to take the oaths of office. The two Houses for that purpose, on Saturday, the 29th instant.

#### HOUSE OF COMMONS.

The engrossed resolutions in favor of Thomas Winkler and others, Benjamin Hawkins, and respecting entries of lands paid for and not granted in Wilkes, were adopted, and ordered to be enrolled.

Mr. Winston from the committee on the Judiciary, to whom were referred the bill respecting the maintenance of bastard children, the resolution directing them to inquire into the propriety of making insulting language justification for assault and battery; so much of the Governor's message as relates to Executive right of pardon; and the resolution respecting trespasses and aggressions by citizens of other States and Indians made reports adverse to any legislative action on the several subjects referred to; which were concurred in.

Mr. Britton presented a bill concerning deeds of trust. Referred.

On motion of Mr. Crawford, the committee on the Judiciary were instructed to inquire into the expediency of enacting a law making provoking or insulting language justifiable cause of striking.

Mr. Mathews presented the petition of militia officers of Stokes; and Mr. C. Erwin, the petition of Thomas Douglass. Referred.

Mr. Britton presented a bill concerning land peddlars; which were read the first time and passed, and the last mentioned subsequently rejected.

#### SENATE.

Monday, Dec. 17.

Mr. Shepard, from the committee on Internal Improvements, reported a Resolution directing the Public Treasurer to pay to the Roanoke Navigation Company \$1000, on account of deferred payment of stock; which was read the first time and passed.

The House then resolved itself into a committee of the whole. Mr. Hill in the Chair, on Mr. Rayner's resolutions; when Mr. Rayner concluded his remarks; and the committee rose, reported progress, and obtained leave to sit again.

#### INTERNAL IMPROVEMENT CONVENTION.

At a meeting of the Delegates to the Internal Improvement Convention, held in the Methodist Church, in the City of Raleigh, on Monday, the 10th Dec. 1828, on motion of Col. Robert Macnamara, the Hon. Romulus M. Saunders was unanimously elected President, and Gen. James Cook, of the county of Davie, and John Winslow, of the county of Cumberland, were appointed Secretaries.

The following Delegates appeared and took their seats:

Edwin G Read and William Beard, of Person; Thomas H. Will, and Russel Kingbury, of Granville; John H. Haughton, Robt Smith, and Benj Houze, of Chatham; and Dr John McKay, of Cumberland.

Mr. McRae, from the committee of five, to draft rules for the government of the Convention, made a report, which was amended, on motion of Mr. Gaston, by adding thereto the following resolution, and adopted:

Resolved, That each county represented in this Convention be entitled to as many votes as they are entitled to members in the House of Commons—provided that each county shall be entitled to one vote.

The following resolution was offered by Dr. Herndon, and, on his motion, referred to the General Committee:

Whereas we believe it to be of vital importance to the State of North Carolina to take some efficient measures to foster and stimulate the enterprise of her citizens so as to enable them to attain that degree of wealth and prosperity at home, in search of which they are now compelled to emigrate to the new States, and whereas, we sincerely believe that nothing will contribute more to secure that object than a judicious system of Internal Improvement. Therefore,

Resolved 1st. That we deem it consistent with justice and good policy, that proper aid should be extended first to those works now in progress, by giving the credit of the State to the Raleigh and Gaston Rail Road Company for \$500,000, on such conditions and under such restrictions as the Legislature may, in their wisdom deem best—and by advancing to the Raleigh and Wilmington Rail Road Company the instalments due by the State, without waiting for the payment of those due by individuals.

Resolved 2d. That we believe it to be highly expedient, and therefore respectfully recommend it to the General Assembly, to take on the part of the State three fourths of the stock in the Rail Road from Fayetteville, westward two-fifths of the stock in the Raleigh and Columbia Rail Road; and that this convention do, in consequence of carrying into effect such measures as the engineer might advise for removing the obstructions in these rivers, and otherwise rendering them navigable for steam boats of three and four feet draught throughout the year.

Mr. Avery offered the following resolution, which was referred to the committee of thirteen:

Resolved, That the General Committee be instructed to inquire into the expediency of constructing a Rail Road from Raleigh to the Louisville and Cincinnati Road at the most eligible point.

Mr. Murchison offered the following resolution, which was referred to the committee of thirteen:

Resolved, That the Convention recommend the revival of the charter of the Raleigh and Fayetteville Rail Road Company, and a subscription on the part of the State of two-fifths of the capital stock of the same.

On motion, the Convention adjourned until to-morrow ten o'clock.

#### Wednesday, Dec. 18.

Convention met according to adjournment. The following Delegates appeared and took their seats:

Patrick Hamilton of Granville; George W. Collier, John E. Becton, John A. Green, Basil B. Everett, of Wayne; and H. W. Hudd, of Johnston.

On motion of Mr. Clingman, the committee of thirteen were discharged from the further consideration of the proceedings of a meeting of the citizens of Caswell and Person counties, in relation to the improvement of the Dan and Roanoke Rivers.

On motion of