The Standard.

NORTH-CAROLINA STATE CONVENTION.

MONDAY, May 20th, 1861.

The delegates met in the Commons Hall of the Capitol in Raleigh, at 11 o'clock.

Mr. Biggs, a delegate from Martin, called the Convention to order, and proposed that a committee of three, to consist of Messrs. Venable of Granville, Woodfin of Buncombe, and Speed of Pasquotank, should be appointed to inspect the certificates of delegates, and the proposition was agreed to.

They reported one hundred and twelve delegates present, and answering to their names as follows:

Alleghany and Ashe—J. E. Foster.
Alamance—Giles Mebane and Thos. Ruffin, Sen.
Alexander—A. C. Stewart.
Anson—A. Myers and J. A. Leake.
Bertie—S. B. Spruill and James Bond.
Bladen—T. D. McDowell.
Beaufort—W. J. Ellison and E. J. Warren.
Buncombe—N. W. Woodfin.
Brunswick—T. D. Meares.
Burke—J. C. McDowell.
Cabarrus—C. Phifer.
Caldwell—E. W. Jones.
Camden—D. D. Ferebee.
Carteret—C. R. Thomas.
Caswell—Bedford Brown and John A. Graves.
Catawba—P. C. Henkel.
Chatham—Jas. H. Headen, L. J. Merritt, and Jno. Manning.
Cherokee—A. T. Davidson.
Cleaveland—W. J. T. Miller, and J. W. Tracy.
Chowan—R. Dillard.
Columbus—Richard Wooten.
Craven—John D. Whitford, and George Green.
Cumberland—Warren Winslow, and D. McNeill.
Currituck—H. M. Shaw.
Davidson—B. A. Kittrell and B. C. Douthit.
Davie—Robt. Sprouse.
Duplin—Wm. J. Houston and J. T. Rhodes.
Edgecombe and Wilson—Geo. Howard and W. S. Battle.
Franklin—A. T. Williams.
Forsythe—T. J. Wilson and R. L. Patterson.
Gaston—S. X. Johnson.
Gates—A. J. Walton.
Granville—A. W. Venable, T. L. Hargrove and S. S. Royster.
Greene—Wm. A. Darden.
Guilford—John A. Gilmer, Ralph Gorrell and R. P. Dick.
Halifax—R. H. Smith and C. J. Gee.
Harnett—A. S. McNeill.
Haywood—Wm. Hicks.
Henderson—Wm. M. Shipp.
Hertford—K. Rayner.
Hyde—Ed. L. Mann.
Iredell—A. Mitchell, and Thos. A. Allison.
Johnston—C. B. Sanders and Wm. A. Smith.
Jones—Wm. Foy.
Jackson—Wm. H. Thomas.
Lenoir—John C. Washington.
Lincoln—Wm. Lander.
Madison—J. D. McDowell.
Macon—C. D. Smith.
Martin—Asa Biggs.
McDowell—Jas. H. Greenlee.
Mecklenburg—Jas. W. Osborne and Wm. Johnson.
Montgomery—S. H. Christian.
Moore—H. Turner.
Nash—Arch. H. Arrington.
New Hanover—W. S. Ashe and R. H. Cowan.
Northampton—Jno. M. Moody and D. A. Barnes.
Onslow—E. W. Ward.
Orange—Wm. A. Graham and John Berry.
Pasquotank—R. K. Speed.
Perquimans—Joseph S. Cannon.
Person—John W. Cuningham.
Pitt—F. B. Satterthwaite and Bryan Grimes.
Polk and Rutherford—M. Durham and J. H. Carson.
Randolph—Wm. J. Long and A. G. Foster.
Richmond—W. F. Leake.
Robeson—John C. Sutherland and J. P. Fuller.
Rockingham—David S. Reid and E. T. Brodnax.
Rowan—Burton Craige and H. C. Jones, Sen.
Sampson—Robt. A. Mosely and Thos. Bunting.
Stokes—John Hill.
Stanly—E. Hearne.
Surry—T. V. Hamlin.
Tyrrell—E. Spruill.
Union—H. M. Houston.
Wake—Geo. E. Badger, K. P. Battle and W. W. Holden.
Warren—W. N. Edwards and F. A. Thornton.
Washington—Wm. S. Pettigrew.
Watauga—J. W. Council.
Wayne—E. A. Thompson and Geo. V. Strong.
Wilkes—Peter Eller and Jas. Calloway.
Yadkin—R. F. Armfield.
Yancey—M. P. Penland.

There being a quorum present, Mr. Leake of Richmond, arose and said:

I rise for the purpose of calling you to order, and asking that we proceed to the organization of this body.

With this view, I present the name of the Hon. Weldon N. Edwards, of Warren, as a suitable gentleman to preside over our deliberations, "*nomen clarum et venerabile.*" In making the nomination I deem it entirely unnecessary to accompany it with any remarks, for the name itself has become to the friends of State rights and State sovereignty a household word, and their names are legion, and its bare mention is sufficient to gain for it a ready admission into the highest niche of the citadel of our affections; for it is for the assertion of the rights of the State, bottomed on the sovereignty of the State, that we have now assembled.

I respectfully suggest that after the nomination or nominations shall be made, that the clerk proceed to call the roll and that we vote *viva voce.*

Mr. Badger, with equally appropriate remarks, put in nomination Hon. William A. Graham, of Orange.

The vote was taken *viva voce*, the above committee acting as tellers, who announced the whole number of votes cast to be 112, of which Mr. Edwards received 65, and Mr. Graham 47.

The following voted for Mr. Edwards: Messrs. Arrington, Ashe, Battle of Edgecombe, Biggs, Brodnax, Brown, Bunting, Carson, Cowan, Craige, Cuningham, Darden, Durham, Foy, Fuller, Gee, Graves, Green, Greenlee, Grimes, Hamlin, Hargrove, Henkle, Hicks, Hill, Houston of Duplin, Houston of Union, Howard, Johnson of Gaston, Johnson of Mecklenburg, Lander, Leake of Richmond, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, Meares, Miller, Moody, Mosely, Myers, Osborne, Penland, Phifer, Rayner, Reid, Rhodes, Royster, Ruffin, Shaw, Smith of Halifax, Southerland, Stewart, Strong, Thompson, Thornton, Tracy, Venable, Ward, Washington, Whitford, Williams, Winslow, Woodfin, and Wooten—65.

And the following for Mr. Graham: Messrs. Allison, Armfield, Badger, Barnes, Battle of Wake, Berry, Bond, Calloway, Cannon, Christian, Council, Davidson, Dick, Douthit, Eller, Ellison, Ferebee, Foster of Ashe, Foster of Randolph, Gilmer, Hearne, Headen, Holden, Jones of Caldwell, Jones of Rowan, Kittrell, Leake of Anson, Long, Mann, Manning, McNeill of Harnett, Merritt, Mitchell, Patterson, Pettigrew, Sanders, Satterthwaite, Shipp, Smith of Johnston, Smith of Macon, Speed, Sprouse, Thomas of Carteret, Turner, Walton, Warren, and Wilson—47.

Mr. Edwards was then conducted to the Chair by Messrs. Badger and W. F. Leake, and upon taking the chair returned his thanks for the unexpected honor conferred upon him, in a few appropriate and patriotic remarks, which were well received by the Convention.

Mr. Badger introduced a paper which he desired to be read.

Mr. Venable thought the Convention should now be opened with prayer.

Mr. Osborne thought the organization of the Convention should be completed, and proceeded to nominate for Principal Clerk, Mr. Walter L. Steele, of Richmond.

Mr. Reid moved the appointment of two tellers to superintend the election.

Mr. Barnes moved that Mr. Steele be appointed Principal Clerk and Mr. L. C. Edwards, of Granville, Assistant.

The President decided the motion not in order, the Convention having agreed to select a Principal Clerk.

Mr. Barnes moved to reconsider the decision to elect Principal Clerk, and the motion did not prevail.

Mr. Battle, of Wake, then nominated J. H. Moore.

The President appointed Messrs. Winslow and Thompson, of Wayne, to superintend the election, who reported Mr. Steele duly elected.

The Convention then proceeded to the election of Assistant Clerk.

Mr. Reid nominated Mr. Engelhard; Mr. Venable nominated Dr. S. A. Williams; Mr. Barnes nominated Mr. L. C. Edwards; Mr. Miller nominated Mr. J. A. Fox, and Mr. Brown nominated Mr. M. H. Pinnix, but afterwards withdrew his name.

Messrs. Miller and Barnes were appointed to superintend the election, who reported Mr. L. C. Edwards duly elected.

Mr. Page, of Randolph, Mr. Lovell, of Surry, on motion of Mr. Biggs, and Mr. J. C. Moore, of Wake, on motion of Mr. Graham, were then appointed Doorkeepers.

Mr. Venable then renewed his motion to open the proceedings of the Convention with prayer, which was concurred in.

Rev. J. W. Tucker, of Raleigh, then, by invitation, offered a prayer for the support and guidance of the Supreme Disposer of events in the deliberations of the Convention upon the great and momentous questions to come before it.

A communication from Hon. F. J. Moses, Commissioner from South-Carolina to this Convention, was announced by the President, and read by the Clerk.

The President appointed Messrs. Venable and Ruffin to wait on Mr. Moses, and invite him to a seat in the Convention.

The committee having attended to that duty, the President, in the name of the Convention, welcomed the Hon. Commissioner to the State, who responded in a style becoming the occasion, and laid before the Convention the ordinance of secession passed by the Convention of South Carolina, and asked the co-operation of North Carolina therein.

A resolution inviting the clergy of the city to open the daily sittings of the Convention with prayer, was passed over for the present, informally, in order that the committee on rules might report.

Mr. Meares suggested that the Convention adopt the rules of the Convention of 1835.

Mr. Biggs thought that there was no necessity of adopting rules to day; the Convention ought to pass an ordinance of secession, immediately—he was opposed to delay in this matter.

Mr. Craige concured with the gentleman last up. There was perfect unanimity of sentiment on this subject, throughout the State. This was an auspicious day for such a declaration. He was in favor of making a Declaration of Independence from the old federal Union, on this day, particularly. He said he held in his hand an ordinance of secession, which he would introduce to the Convention.

The President decided that the paper offered by Mr. Badger, (being an ordinance of separation,) was first in order.

Mr. Craige insisted that Mr. Badger's resolutions were not regularly before the Convention, but he was willing they should be read, and if they expressed his views, he would go for them; if not, he would move his as a substitute.

The resolutions introduced by Mr. Badger were then read, as follows:

An Ordinance declaring the Separation of North Carolina from the United States of America.

WHEREAS, Abraham Lincoln, of Illinois, and Hannibal Hamlin, of Maine, were chosen President and Vice President of the United States, by a party, in fact, and avowedly entirely sectional in its organization, and hostile in its declared principles to the institutions of the Southern States of the Union, and therefore certain Southern States did separate themselves from the Union, and form another and independent Government under the name of "the Confederate States of America;" and whereas, the people of North Carolina, though greatly aggrieved by the evident tendency of this election, and of these principles, did, nevertheless, abstain from adopting any such measure of separation, and, on the contrary, influenced by an ardent attachment to the Union and Constitution, which their fathers had transmitted to them, did remain in the Union, loyally discharging all their duties under the said Constitution, in the hope, that what was threatening in public affairs might yield to the united efforts of patriotic men from every part of the nation, and by these efforts such guarantees for the security of our rights might be obtained, as should restore confidence, renew alienated ties, and finally re-unite all the States in a common bond of fraternal Union; meantime, cheerfully and faithfully exerting whatever influence they possessed for the accomplishment of this most desirable end: And whereas, things being in this condition, and the people of this State indulging this hope, the said Abraham Lincoln, President of the United States, did on the 16th day of April, by his proclamation, call upon the States of the Union to furnish large bodies of troops, to enable him, under the false pretence of executing the laws, to march an army into the seceded States, with a view to their subjection, under an arbitrary and military authority, there being no law of Congress authorizing such calling out of troops, and no constitutional right to use them, if called out, for the purpose intended by him. And, whereas, this call for troops has been answered throughout the Northern, Northwestern and middle non-slaveholding States, with enthusiastic readiness, and it is evident from the tone of the entire press of these States and the open avowals of their public men, that it is the fixed purpose of the Government and people of those States, to wage a civil war against the seceded States, to destroy utterly the most favored portion of this Continent, and reduce its inhabitants to absolute subjection and abject slavery; and whereas, in aid of these detestable plans and wicked measures, the said Lincoln, without any shadow of rightful authority, and in plain violation of the Constitution of the United States, has, by other proclamations, declared all the ports of North Carolina, as well as the other Southern Atlantic and Gulf States under blockade, thus seeking to cut off our trade with all parts of the world. And whereas, since his accession to power, the whole conduct of the said Lincoln has been marked by a succession of false, disingenuous and treacherous acts and declarations, proving incontestibly, that he is, at least in his dealings with Southern men, void of faith and honor. And whereas, he is now governing by military rule, alone—enlarging by new enlistments of men, both the military and naval force without any authority of law, having set aside all constitutional and legal restraints, and made all constitutional and legal rights dependent upon his mere pleasure, and that of his military subordinates. And whereas, in all his unconstitutional, illegal and oppressive acts, in all his wicked and diabolical purposes, and in his present position of usurper and Military dictator, he has been, and is encouraged and supported by the great body of the people of the non-slaveholding States:

Therefore, this Convention now here assembled, in the name and with the sovereign power of the people of North Carolina, doth, for the reasons aforesaid, and others—and in order to preserve the undoubted rights and liberties of the said people—hereby declare all connexion of government between these States and the United States of America, dissolved and abrogated, and this State to be a free, sovereign and independent State, owing no subordination, obedience, support or other duty to the said United States, their Constitution or authorities, anything in the ratification of the said Constitution or of any amendment or amendments thereto to the contrary, notwithstanding; and having full power to levy war, conclude peace, contract alliances, and to do all other acts and things, which independent States may of right do. And appealing to the Supreme Governor of the World for the justice of our cause, and beseeching Him for His gracious help and blessing, we will, to the uttermost of our power, and to the last extremity, maintain, defend, and uphold this Declaration.

Mr. Rayner thought the proceedings on the resolutions should be conducted in secret session. The question was discussed but no action taken in the matter.

Mr. Craige moved his resolutions as a substitute to those of Mr. Badger.

Mr. Dick offered an amendment to Mr. Badger's resolutions.

"And this ordinance to be of full force and effect when ratified by the legal voters of this State, at an election hereafter to be held, the day and manner of holding said election to be fixed and provided for by this Convention."

Mr. Rayner moved the consideration of the resolutions and amendments be conducted in secret session, but at request of gentlemen, withdrew the motion.

Mr. Barnes renewed the motion. He thought the voice of the Convention should go forth as the unanimous expression of the will of the people, and this would be better effected by conducting the discussion with closed doors.

Mr. Reid differed from the gentleman in regard to the propriety of a secret session. There was perfect unanimity on the subject of secession—the only difference of opinion was in regard to the mode of expressing it. On the motion, he demanded the yeas and nays.

The President said there was no rule adopted by which the yeas and nays could be demanded—he could only order them upon a motion for that purpose made and adopted.

Mr. Osborne thought there was no necessity for going into secret session, and asked the mover to withdraw the motion.

Mr. Leake, of Richmond, hoped there would be no dissension on the mere form of the ordinance—he believed there would be none. So far as he could discover, the two sets of resolutions offered, exhibited the difference between tweedledum and tweedledee. He was willing to embrace either. He would prefer an ordinance, however, that provided for going into the Southern Confederacy at the same time that it provided for going out of the old Union.

Mr. Barnes, in answer to the suggestion of Mr. Osborne, said he must act from his own convictions of duty. He thought there would certainly be considerable debate on the resolutions and amendments, and it would be better that this debate should be conducted with closed doors. He insisted on his motion.

The motion for the yeas and nays was then put and decided in the negative.

The question was then on Mr. Barnes' motion.

Mr. Barnes demanded tellers, and the Chair appointed Messrs. Barnes and Meares, who reported—ayes 54, nays 59, so the motion for secret session did not prevail.

Mr. Osborne wished to know what was the position of business before the Convention—he understood the amendment of Mr. Dick to Mr. Badger's resolutions, to be the first question under consideration, and asked Mr. Dick to withdraw his amendment and bring it up in the form of a distinct proposition.

Mr. Dick said he would consent to do so with the understanding that he would have an opportunity of taking a vote thereon at an early day; so the amendment was withdrawn.

The question was then on Mr. Craige's substitute, which is as follows:

AN ORDINANCE,

To dissolve the Union between the State of North-Carolina and the other States united with her under the compact of the Government, entitled the Constitution of the United States.

We, the people of the State of North-Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained, that the ordinance adopted by the State of North-Carolina in the Convention of 1789, whereby the Constitution of the United States was ratified and adopted, and also all acts and parts of acts of the General Assembly ratifying and adopting amendments to the said Constitution, are hereby repealed, rescinded and abrogated.

We do further declare and ordain, that the Union now subsisting between the State of North-Carolina and the other States under the title of the United States of America, is hereby dissolved, and that the State of North-Carolina is in full possession and exercise of all those rights of sovereignty which belong and appertain to a free and independent State.

Mr. Biggs said that a question of such importance ought not to be decided by simple ayes and noes; he supposed every member wished to have his vote on it recorded on the journals.

Mr. Graham said that the Convention might adopt the rules of the House of Commons, by which a call for the yeas and nays may be ordered, and made a motion to that effect.

Mr. Biggs hoped the gentleman would except, in his motion, that rule which required any bill to be read three several times on different days. The suggestion was adopted by Mr. G.

Mr. Reid thought the adoption of the rules of the House of Commons would produce embarrassment in the action of the Convention, because of their inapplicability, in many respects, to the business that might come up for consideration. He thought the whole difficulty might be obviated by taking the yeas and nays by unanimous consent.

Mr. Satterthwaite agreed with the gentleman from Rockingham, and moved that the yeas and nays on the substitute be taken by general consent.

The suggestion was adopted and all pending motions on the subject informally passed over.

The yeas and nays were then ordered on Mr. Craige's substitute.

Mr. Badger took the floor and spoke in defence of his resolutions at some length. We may give a synopsis of his remarks hereafter.

Mr. Craige replied in favor of his substitute. He thought it would be better that a simple ordinance of secession should be passed now, and that the reasons therefor might be given hereafter. It was for this reason he offered the substitute; because Mr. B.'s resolutions, while they set forth many and strong grounds, did not embrace *all* the reasons for the separation; and especially it seemed to estimate that no cause for the separation existed prior to Lincoln's proclamation of the 16th of April, while there were many members of the Convention who believed that causes for secession existed prior to that time. Therefore, while many might dissent from the views in the preamble of Mr. B.'s resolutions, all could concur in the simple declaration of secession contained in the substitute.

Mr. Ruffin said that there might exist difficulties in the minds of members in voting on either set of resolutions. He thought the reasons for the separation ought to be set forth in the ordinance, but was not prepared to accept those in the preamble of Mr. B. without some amendment. There were many and strong reasons for the contemplated action of the people in severing their connection with the United States government, that were not set forth in that preamble; he would therefore move to lay both the resolution and the substitute on the table, for the purpose of introducing a resolution to simply declare the State of North-Carolina out of the old Federal Union, and for the appointment of a committee of ten to draw up and present to the Convention a formal declaration of secession, setting forth the reasons for the separation.

The question was put on Mr. Ruffin's motion and did not prevail, yeas 44, nays 49.

Mr. Rayner thought the difference of views on the form of the declaration might be reconciled by blending the two into one series, and so amending the preamble as to remove all difficulty from the mind of every one.

Mr. Ruffin explained that he had not offered his motion because he was opposed to either the resolutions of Mr. Badger, or the substitute of Mr. Craige, he would vote for either—but he offered it simply to harmonize sentiment and bring about action on the subject.

Mr. Biggs said he had no doubt that there would be perfect unanimity in adopting an ordinance of secession, whether the original resolution or the substitute be the form selected in which to give it expression.

Mr. Ferebee asked for a division of the question.

The question was put on striking out, and resulted in the affirmative, yeas 72, nays 39.

The question was then on the adoption of Mr. Craige's substitute.

The substitute was then read.

Mr. Ruffin objected to that portion of the ordinance which repeals the action of the Convention of 1789, adopting the Federal Constitution. He thought we did not go out of the Union by virtue of any such repeal; we had no constitutional right to repeal the ordinance—but we went out simply because we *willed* it—and moved that that portion of the substitute which repeals the ordinance of 1789, be stricken out.

Mr. Venable said there was no necessity for striking out—he claimed the right to repeal the ordinance and also to go out of the Union simply because we *willed* it—the clauses were cumulative and both might be retained.

The question was then on Mr. Ruffin's proposition to strike out, when that gentleman withdrew the motion.

Mr. Graham renewed it.

Mr. Ashe demanded the yeas and nays thereon, which being ordered, resulted, yeas 47, nays 65. So the motion to strike out did not prevail.

No other amendments were offered, and the vote was taken directly on Mr. Craige's substitute, which resulted in its adoption by the unanimous vote of the Convention, 115 voting in the affirmative.

Upon the announcement of the vote, a general shout went up from lobby, gallery and hall, and if there was anything unparliamentary in the demonstration, no one could tell who began it, or who participated in it most freely. The ladies in the gallery shared the general feeling of rejoicing, and gave demonstration of their participation in the universal exultation by the waving of handkerchiefs, smiles, and even by tears. The artillery in the grove belched forth the announcement in a round of a hundred guns, and all the church bells rang out a merry peel.

As soon as there was a chance to be heard, Mr. Leake, of Richmond, called for "three cheers for South-Carolina, the noblest Roman of them all," which were heartily given.

Mr. Smith, of Halifax, moved the appointment of a committee on credentials, and the committee was appointed as follows: Messrs. Howard, Thornton, Barnes, Battle of Wake, and Biggs.

Mr. Rayner moved that the ordinance of secession just passed, be enrolled on parchment ready for the signature of the members of the Convention tomorrow at 12 o'clock. The motion was afterward amended by the appointment of a committee to have the ordinance properly enrolled and presented for signature as soon as practicable. The committee consists of Messrs. Barnes, Rayner, Venable, Ruffin and Craige.

Mr. Barnes presented papers concerning the contested election in Halifax, which were referred to the committee on credentials.

On motion, a committee to report rules for the Convention was appointed as follows:

Messrs. Reid, Graham, Meares, Gilmer, and Biggs.

Mr. Meares introduced an ordinance providing for the adoption of the Constitution of the provisional government of the Confederate States of America, and the same was read as follows:

AN ORDINANCE,

To ratify the Constitution of the Provisional Government of the Confederate States of America.

We, the people of North-Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained, that the State of North-Carolina does hereby assent to and ratify the "Constitution of the Provisional Government of the Confederate States of America" adopted at Montgomery in the State of Alabama, on the eighth day of February, A. D. 1861, by the Convention of Delegates from the States of South-Carolina, Georgia, Florida, Alabama, Mississippi and Louisiana, and that North-Carolina will enter into the federal association of States upon the terms therein proposed when admitted by the Congress or any competent authority of the Confederate States.

Done at Raleigh, the twentieth day of May, in the year of our Lord one thousand eight hundred and sixty-one.

Mr. Graham moved that the Convention now adjourn.

Mr. Ashe hoped the gentlenman would withdraw the motion, that action might be had on Mr. Meares' resolution.

The motion was not withdrawn, and the yeas and nays, on motion of Mr. Ashe, being taken, resulted—yeas 39, nays 64, so the motion to adjourn did not prevail.

The question was then on Mr. Meares' resolution.

Mr. Dick moved his amendment thereto, that the ordinance be submitted for the ratification of the people, and demanded the yeas and nays thereon, which being ordered, resulted—yeas 34, nays 73, as follows:

Messrs. Allison, Armfield, Berry, Bond, Calloway, Cannon, Council, Davidson, Dick, Douthitt, Eller, Ellison, Ferebee, Foster of Randolph, Gilmer, Graham, Headen, Jones of Caldwell, Kittrell, Long, Mann, Manning, Merritt, Mitchell, Sanders, Smith of Johnston, Smith of Macon, Speed, Sprouse, Spruill of Bertie, Thomas of Carteret, Warren, Wilson and Woodfin—34.

Messrs. President, Arrington, Barnes, Battle of Edgecombe, Biggs, Brodnax, Brown, Bunting, Carson, Cowan, Craige, Cuningham, Darden, Durham, Foster of Ashe, Foy, Fuller, Gee, Graves, Green, Greenlee, Hamlin, Hargrove, Henkle, Hicks, Hill, Houston of Duplin, Houston of Union, Howard, Johnson of Gaston, Johnson of Mecklenburg, Lander, Leake of Richmond, McDowell of Bladen, McDowell of Burke, McDowell of Madison, McNeill of Cumberland, McNeill of Harnett, Miller, Moody, Mosely, Myers, Osborne, Pettigrew, Rayner, Reid, Rhodes, Royster, Ruffin, Satterthwaite, Shaw, Shipp, Smith of Halifax, Southerland, Spruill of Tyrrell, Stewart, Strong, Thomas of Jackson, Thompson, Thornton, Tracy, Turner, Venable, Walton, Ward, Washington, Whitford, Winslow and Wooten—73.

The vote was then taken on Mr. Meares' resolution, and it was adopted unanimously.

Mr. Venable then introduced an ordinance to adopt the Constitution of the Confederate States of America, which was read and made the order for tomorrow at 11 o'clock.

The Convention then adjourned to meet again tomorrow 11 o'clock, A. M.

TUESDAY, May 21, 1861.

The Convention was called to order by the President at 11 o'clock. Prayer by the Rev. Charles F. Deems, D. D.

The journal of Monday was read and amended.

Mr. Ruffin stated that Mr. Mebane, who was too ill on yesterday to attend the sitting of the Convention, was in his seat, and desired to have his vote recorded in favor of secession, and the request was granted.

Mr. Gorrell also appeared in his seat, and by his colleague, Mr. Gilmer, desired to have his vote recorded in favor of the ordinance of secession, and it was agreed to.

Mr. Reid, from the committee on rules, reported the rules of the Convention of 1835, with a slight amendment—the report was read.

Mr. Lander proposed to strike out the clause requiring all ordinances to be read on three several days. He said the Convention would sit, perhaps, only a few days, and this rule would necessarily operate to the delay of business.

Mr. Biggs thought the amendment unnecessary, as the rule might be dispensed with by two-thirds of the Convention.

Mr. Ashe suggested that the rule applies only to propositions for changing the Constitution.

Mr. Reid said this is no time to be considering changes in the Constitution. We are not in a situation for such work—the exigencies of the times do not favor such deliberation.

Mr. Gilmer understood the rule to apply to all ordinances considered in the Convention, and he thought it a very important one and should be retained. He differed from the opinion that the business of the session was nearly completed; he thought there was one subject, at least, that ought not to be neglected—a change in the Constitution in regard to taxation, a neglect to attend to which would be unfortunate at this particular crisis.

Mr. Reid replied, that the subject to which the gentleman (Mr. Gilmer) alluded, was not now engaging the public mind—the question of *ad valorem* taxation was scarcely thought of—every body is thinking of defending our rights and not about money.

The question was then put on Mr. Lander's amendment and it was adopted.

Mr. Ferebee offered an additional rule, providing for the opening of the daily sessions with prayer, and it was adopted.

And as thus amended, the rules reported by the committee were adopted.

Mr. Leak, of Richmond, offered a resolution in response to the greeting from South Carolina through her Commissioner, Hon. F. J. Moses, which passed unanimously.

Mr. Howard, from the committee on elections, reported in the contested election from Halifax, in favor of Dr. L. W. Batchelor. He also presented a communication from Mr. C. J. Gee, who held a certificate of election, in which Mr. Gee resigned all claims to the seat, and requested that the communication might be spread upon the record. The report was adopted, and the request of Mr. Gee was granted.

Mr. Howard stated for Mr. Batchelor, that had he been in his seat yesterday, he would have voted in the affirmative on the secession ordinance.

Mr. Ferebee moved that the rules adopted by the Convention be printed, and the motion prevailed.

Mr. Howard moved that a printer to the Convention be now elected, and the motion prevailed.

The President appointed Messrs. Foy and Reid to superintend the election.

Mr. Reid nominated John Spelman.

Mr. Badger nominated Frank I. Wilson.

Mr. Foy nominated Syme and Hall.

The vote being taken, resulted for Syme and Hall 57; for F. I. Wilson 30; for John Spelman 24.

Mr. Badger, who was absent yesterday when the vote on the secession ordinance was taken, asked to have his vote recorded in the affirmative thereon, and the request was granted.

The unfinished business, being the ordinance offered by Mr. Venable yesterday, for the adoption of the Constitution of the Confederate States of America, was then taken up.

Mr. Venable said the Constitution was the same as that of the former United States Constitution, with some amendments, which he briefly stated.

Mr. Smith of Halifax, desired to know if the copy of the Constitution offered with the ordinance was authentic.

Mr. Venable said it was a copy printed by the Public Printer of the Confederate States.

Mr. Kittrell said, in such an important matter, we should be certain what it is we adopt. In adopting this Canstitution, we may not be adopting the Constitution of the Confederate States.

Mr. Barnes said, this is a grave matter, and one upon which the Convention ought to act with great deliberation. He was as much in favor of making North Carolina a member of the Southern Confederacy as the gentleman from Granville, but he also wished to know when he voted his State into the Confederacy, upon what terms she should go in.—He was not willing to take this Constitution as the true one, without better evidence. The gentleman from Granville is a lawyer, and in the habit, he presumed, of acting on evidence, yet he is willing to take this Constitution without a shadow of evidence of its correctness. Other States had not so acted; they had had certified copies sent them, and he would not consent to place his State in so undignified a position, as the adoption of this Constitution under such circumstances, would place her.

Mr. Osborne thought there was no necessity for haste—deliberate consideration ought to be had on this grave and important question. He moved the appointment of a committee to whom the ordinance shall be referred.

The motion prevailed, and the President appointed Messrs. Venable, Badger, Barnes, Osborne and Ruffin.

Mr. Kittrell introduced an ordinance to repeal clauses 1 and 2 of section 3 of the 4th article of the amended Constitution in regard to subjects of taxation. Read the first time and ordered to be printed.

Mr. Biggs introduced a resolution that all ordinances for altering or amending the Constitution of the State, brought before this Convention, shall be laid upon the table. Lies over under the rule.

Mr. Craige moved that a certified copy of the ordinance passed by this Convention, adopting the Constitution of the Provisional Government of the Confederate States, be sent to the Government at Montgomery, and the motion prevailed.

Mr. Barnes from the committee to have the ordinance of secession on enrolled and prepared for signature, reported that the ordinance had been neatly enrolled on parchment, and would be ready for the signatures of delegates this evening at 6 o'clock, in this Hall, and proposed that the same should be signed first by the President and then by the delegates in alphabetical order, and the report was adopted.

Mr. Batchelor introduced a resolution for the appointment of a committee of thirteen to prepare business for the Convention.

Mr. Woodfin could not see how a committee could prescribe business for the Convention—he thought the Convention was unrestricted, and he thought that each member for himself had the right to introduce such resolutions and amendments as he might see proper. Such a committee might have been appropriate in 1835, when the Convention was restricted in its action, but this Convention could not be so curbed.

Mr. Spruill, of Bertie, agreed in sentiment with the last speaker. He said it might be necessary, and he thought it would, to make certain changes in the Constitution, and he would not consent to thus having the free action of the Convention trammeled.

After some further remarks by Messrs. Reid and Batchelor, in favor of the resolution, and by Mr. Badger against it,

Mr. Ferebee moved to lay the resolution on the table and the motion prevailed.

On motion of Mr. Meares, the Convention took a recess until this evening 7 o'clock.

EVENING SESSION.

The President called the Convention to order at 7 o'clock.

The special order for the evening was the signing of the ordinance of secession.

At the suggestion of Mr. Barnes and others, the date of the passage of the ordinance was affixed to the enrolled copy of that instrument.

The President, Hon. Weldon N. Edwards, then affixed his name to the ordinance, in presence of the Convention, and of a large audience of ladies and gentlemen in the galleries, who testified approval of the act by demonstrations of applause.

The roll of counties was then called in alphabetical order, the delegates from each coming forward as the counties were called, and affixing their names to the ordinance—*every delegate to the Convention* being present and signing.

Mr. Osborne then moved that the ordinance be deposited with the Secretary of State, for safe keeping, and he be authorized to procure a case for the same, and, after some discussion, the proposition was adopted.

The Convention then adjourned to 11 o'clock, tomorrow morning.

WEDNESDAY, May 22, 1861.

The Convention was called to order at 11 o'clock, by the President. Prayer by Rev. T. E. Skinner.

The journal of Tuesday was read and approved.

The President then announced the following committee to report on a State Flag: Messrs. Whitford, Graham, Rayner, Smith of Halifax, Foy, Winslow and Cuningham.

Mr. Graham moved the printing of the Constitution of North-Carolina, and the act of the General Assembly calling this Convention, with the rules of order, and the motion prevailed.

Mr. Osborne moved that when any paper shall be ordered to be printed, the number of copies shall be one hundred and fifty, unless otherwise ordered, and it was carried.

Mr. Headen introduced a resolution that Messrs. Ruffin, Brown, Graham, Badger and Gilmer be appointed a committee to prepare an address setting forth the causes which impel North-Carolina to a separation from the United States.

Mr. Lander moved to lay the resolution on the table, and the motion prevailed.

Mr. Batchelor offered a resolution that from and after to-day the Convention shall meet at 10, a. m., and adjourn at 2, p. m.

On motion of Mr. Badger, the resolution was laid on the table.

Mr Satterthwait introduced a resolution that there shall be a committee of five, appointed by the President, to prepare an address setting forth the causes for the separation of North-Carolina from the late federal Union.

Mr. S. said he thought it necessary and proper that this Convention should declare to the world the causes which led to our separation from the late Union, and send it forth with the ordinance of separation.

Mr. Reid suggested that the number of the committee be enlarged and that the President be added thereto.

The President asked to be excused on account of the duties already imposed upon him.

Mr. Rayner moved to amend the resolution by making the number ten instead of five, and the amendment was accepted.

The question was then put and the resolution adopted.

Mr. Jones, of Rowan, moved a resolution to appoint a committee of thirteen—naming the committee—to inquire into the constitutionality of the stay law, and if the same be unconstitional, to report an ordinance for the purpose contemplated in the act that shall be just to debtor and creditor.

Mr. Lander moved to lay the resolution on the table, but, on the suggestion of a member withdrew it.

Mr. Graham, moved to strike out the names and leave the appointment of the committee to the President. He said, from the casual attention he had given to the act, he thought it unconstitutional and mischievous, but that something of the sort ought to be adopted. He insisted on his amendment.

Mr. Ashe hoped the time of the Convention would not be consumed in discussing this matter. There is a tribunal to which the question can be referred—the Supreme Court can decide on the constitutionality of the act, and therefore there is no necessity for the committee contemplated in the resolution.

Mr. Osborne thought there was a necessity of looking into this matter, but did not think Mr. Jones' plan the best. The committee was too large.

Mr. Brown said, that being a member of the legislature that passed the act, he thought it incumbent on him to say, that when the act was passed, North Carolina was considered as virtually out of the Union, and that the clause of the Constitution of which the act might be thought to be violative was of no force and effect in this State.

Mr. Howard asked if it were not expected then that the State would go into the Southern Confederacy, which had the same clause in its Constitution.

Mr. Brown said, we had not gone into the Southern Confederacy at that time; and that the extraordinary state of affairs warranted the passage of the act.

Mr. Lander renewed his motion to lay the resolution on the table.

Mr. Ashe demanded the yeas and nays, which being ordered, showed yeas 50, nays 64; so the motion did not prevail.

Mr. Howard moved to make the number of the committee ten, and it was thus carried, and as thus amended, the resolution passed.

Mr. Myers introduced a resolution to have printed 1,600 copies of certain public acts, also 150 copies each of the public acts passed at the late extra session of the General Assembly, and that the Secretary of State furnish the Printer to the Convention with certified copies of said acts.

Mr. M. said it was important, both to the Convention and to the public at large, that these acts should be published at an early day.

Mr. Houston, of Duplin, offered a substitute to the effect that the Governor be requested to have the acts of the recent extra session printed immediately.

Mr. Badger said, in all his observation of legislative proceedings, this was the first time he had ever known the Governor to be called upon to do the public printing; he thought it best to adhere to the old plan.

Mr. Houston was not choice as to who should have it done, and on suggestion, substituted in the resolution "the Secretary of State" for "the Governor."

Mr. Smith, of Halifax, suggested that the original resolution be adopted, and that the substitute could be introduced as a separate proposition and acted on afterward.

The question was then put on the substitute, and it was not adopted.

The question was then put on Mr. Myers' resolution, and decided in the affirmative.

Mr. Saunders introduced an ordinance to amend the third section, 4th article, of the amendments to the Constitution, so that taxation on all property shall be uniform, and that all property shall be taxed according to value, and that the ordinance shall be in force if ratified by the people at an election in August next. Read once and ordered to be printed.

The ordinance of Mr. Kittrell, introduced yesterday, to amend the Constitution in regard to the subjects of taxation, was taken up and read the second time.

Mr. Kittrell moved that its further consideration be postponed until to-morrow.

Mr. Ruffin moved to refer it to a special committee.

Some discussion then arose as to the propriety of referring ordinances concerning amendments to the Constitution, to a special committee.

Mr. Rayner explained the plan adopted by the Convention of 1835—that members proposed amendments in abstract terms, which were discussed, and if adopted, were referred to a committee to put them in proper form and were then finally passed upon by the Convention.

Mr. Reid thought the method of proceeding in the restricted Convention of 1835, would not adapt itself to this Convention. He thought every proposition or ordinance should be referred to a committee.

Mr. Holden offered an amendment to Mr. Kittrell's ordinance, to the effect that slaves shall be taxed according to value, but no higher than land.

Mr. Biggs said he was opposed to