STATE LEGISLATURE.

SENATE.

FRIDAY, Dec. 17, 1852.

A message was received from the House of Commons proposing to vote for U. S. Senator, this day at 12 o'clock. Agreed to.

Mr. Steele presented a memorial from citizens of North Carolina, praying for the passage of an act to abolish the liquor traffic.

Mr. Steele, in presenting the memorial, said in substance,

I present this memorial simply because it is respectful in its character, and is signed by a number of the good citizens in all portions of the State. I felt it to be my duty, therefore, to lay their petition before the Senate. I take this occasion to state, however, to the Senate, that I would *not* vote to carry out the prayer of the memorialists; I think it would do more harm than good; and I hope, that if a bill is presented embodying the views set forth, that it will not become a law.

Mr. Caldwell moved that the memorial be not received.

He said, in substance, that he was opposed to any legislation whatever, on this subject. He did not believe that any one had a right to memorialize this Legislature, praying for a law to be enacted, prohibiting our citizens from putting their grain in any shape they might choose, before bringing it into market. He said, that on the subject of Temperance, these memorialists were fanatics; and they had just as much right to memorialize this Legislature against Slavery, as a nuisance. He was surprised that the gentleman should present a paper to this House, which he himself will not support, and against which he calls upon Senators to vote.

Mr. Steele said he did not understand the Senator in his application, perhaps, of the word *fanatic*; he would take occasion to say, that the signers were honorable men, and as free from fanaticism as the gentleman himself.

Mr. Caldwell said in reply, that the memorial to take away or restrict the rights of the people, if carried out were fanatical in their tendencies; and showed, to his mind, that the object was to control popular elections. He said he had no doubt but that the signers were honorable men, but on this subject he insisted they were fanatics. He said he was as good a Temperance man as any of the advocates of the memorial—he was friendly to the Temperance cause, but was opposed to the present movement, for reasons assigned.

Mr. Brogden spoke against the memorial and concurred in the proposition of the Senator from Mecklenburg, not to receive it.

Mr. Kelly spoke in favor of the reception of the memorial—it was a right, the citizens had, to memorialize the Legislature for the suppression of any nuisance.

Mr. Clark moved to lay the memorial and the motion on the table. He regretted that at this late period of the session this exciting subject had been brought before the Senate; he said the Clerks' table was loaded with public bills and unfinished business highly important, and must be acted on this session; and but a few days now remained of the session—not enough to discuss and mature this business now before them. He said from the feeling now manifested, it was apparent with what feeling it would be discussed, and justice to public business, as well as to the memorial, forbid any action now being taken on it. He did not move to lay on the table from any disrespect to the memorialists, or to any one, but as the only means of disposing of the business already before the Senate.

Mr. McCleese called for the yeas and nays; and the Senate voted as follows:

YEAS—Messrs. Albritton, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Bynum, Caldwell, Clark, Collins, Cowper, Cunningham, Drake, Hargrave, Hoke, Jones of Wake, Lillington, Shaw, Speight, Ward, Walton and Withers—23.

NAYS—Messrs. Albright, Arendell, Cannady, Gilmer, Herring, Jones of Perquimons, Joyner, Kelly, Kerr, Lane, McCleese, McDowell, McMillan, Mitchell, Murray, Parks, Person, Richardson, Steele, Thompson, Washington, Willey and Woodfin—23.

There being 23 yeas and 23 nays, the Speaker voted with the yeas, and the memorial was laid on the table.

The Speaker asked the indulgence of the Senate a moment—he desired that his vote should not be misunderstood, and stated as his reasons for voting to lay on the table that the session was fast approaching its end; but a few days, according to the joint order of the two Houses, remained, and no reasonable hope or expectation could be entertained by any member that any bill in response to the prayer of the memorialists could be matured in the short time now left for deliberation, especially on so exciting a topic. Therefore, to give an opportunity to the petitioners to bring the matter at an early day before the next session of the General Assembly, he had voted to lay on the table.

The hour of 12 o'clock having arrived, the Senate proceeded to vote for U. S. Senator.

The name of Mr. Rayner was withdrawn, and that of Mr. Woodfin put in nomination.

For Mr. Dobbin—Messrs. Speaker, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Canady, Clark, Collins, Cunningham, Drake, Hargrave, Hering, Hoke, W. Jones, Kerr, McDowell, McMillan, Person, Shaw, Speight, Thomas, Ward and Withers—26.

For Mr. Woodfin—Messrs. Albright, Albritton, Arendell, Bynum, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McCleese, Mitchell, Murray, Palmer, Parks, Steele, Thompson, Washington and Willey—20.

Mr. Woodfin voted for Mr. Gilmer.

Mr. Watson voted for Mr. Shepard.

Mr. Bynum moved to send a message to the House of Commons proposing to vote for an Attorney General this day at 1½ o'clock. Agreed to.

Mr. Joyner presented a memorial, which, without being read, was ordered to be printed.

Mr. Person from the committee on Military Affairs, reported a resolution in relation to the public arms at Plymouth.

Mr. Bower, from the committee on Finance, reported back the bill for the protection of sheep, and asked to be discharged.

Mr. Clark, from the committee on Corporations, reported back the bill to incorporate Guilford county Mining company, and recommended its passage.

The hour having arrived, the Senate proceeded to vote for an Attorney General.

Mr. Eaton received 10 votes; Mr. Ransom 22; Mr. Busbee 6; Mr. Rogers 4; Mr. Lewis 1; Mr. Singletary 2.

Mr. Shaw moved to send a message to the House of Commons, to vote to-morrow at 1 o'clock, for a Solicitor of the 7th Judicial Circut. Agreed to.

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

Mr. Hargrave offered a resolution in favor of the Sheriff of Davidson.

The Senate proceeded to vote for a Solicitor of the 6th Judicial Circut, in pursuance of a joint resolution:

For Mr. Lander—Messrs. Speaker, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Drake, Hargrave, Herring, Hoke, Jones of Wake, Kerr, McDowell, McMillan, Person, Shaw, Speight, Thomas, Ward, Watson and Withers.

For Mr. W. P. Bynum—Messrs. Albright, Albritton, Arendell, Bynum, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Lillington, McCleese, Mitchell, Murray, Palmer, Parks, Steele, Thompson, Washington and Woodfin.

First Reading of Bills, &c.

Bill in relation to the Sheriff of Washington.

Resolution in favor of C. Latham.

Resolution to furnish the County of Union with Weights and Measures.

Second reading of Bills.

Defining the duties and powers of turnpike and plankroad companies. Passed.

Bill protecting timber growing on lands belonging to the Literary Board, and for other purposes.

Bill to amend an act making real estate assets. Passed.

Bill abolishing jury trials in County Courts. Laid on the table.

Bill giving County Court of Randolph jurisdiction over the sale of real estate in certain cases.

Bill to pay wardens of the poor. Passed.

Bill authorizing Treasurer to subscribe for 800 shares of the Fayetteville and Centre plankroad company.

Mr. Kelly advocated the passage of the bill until the hour for taking a recess arrived, when he gave way for that purpose,

EVENING SESSION—3½ o'clock.

The unfinished business of the morning, being the bill concerning the Fayetteville and Centre Plank Road company, was taken up.

Mr. Kelly being entitled to the floor, resumed his remarks in favor of the bill; after he concluded, Mr. Steele spoke in favor of the bill, and the question being taken on its second reading, the bill was rejected.

The bill to expedite justice, extend the right of appeals and to prevent the unnecessary accumulation of costs, was read and passed its third time.

Bill to incorporate the Uwharie and Yadkin Plank Road company, passed its second reading.

Bill to attach a portion of Yadkin to Forsyth, passed its second reading.

Resolutions concerning the Public Lands, were read second time, and amended by inserting, after Senator, the words be instructed.

Mr. Brogden moved to amend, by striking out all of that part of the resolution, providing for the disposition of the State's share of the proceeds which was rejected.

Mr. Canady moved to strike out the word, in the resolution, proceeds thereof, which was rejected.

Senate then took a recess till 7 o'clock.

NIGHT SESSION—7½ o'clock.

On motion of Mr. Richardson, leave of absence was granted Mr. Steele, from and after to-day for the remainder of the session.

Sundry bills to incorporate Sons of Temperance, Odd Fellows, &c., laid on the table.

Bill to regulate the pay of witnesses in the County of Brunswick, passed third time.

Bill concerning the County Court of Edgecombe, passed third time.

Resolution in favor of G. W. Scarborough, passed its second reading.

Bill to revive and continue in force the N. C. Mining Company, passed its second time.

Bill in relation to the town of Clinton, passed its second reading.

Bill confirm a grant of land heretofore made to B. H. Stammire, passed its third and last time.

Several bills to empower sheriffs to collect arrears of taxes, were taken up and laid on the table.

Resolution in favor of B. W. Bill, passed second time.

Bill in relation to the town of E. City, passed three times.

HOUSE OF COMMONS.

FRIDAY, Dec. 17, 1852.

Mr. Cherry reported the bill to amend an act incorporating Normal college in Randolph county and authorizing a loan to it of $10,000 from the literary fund.

Mr. Phillips moved to amend by striking out so much of the second section as provides that the Legislature shall fill vacancies in the trustees, which was adopted.

The bill then passed its second reading—yeas 68, nays 17.

On motion the rules were suspended, the bill amended by providing that the trustees shall fill vacancies in their own body, and passed its 3d reading.

On motion of Mr. McNeill a message was sent to the Senate proposing to vote for solicitor of the 6th circuit to-day at 12½ o'clock, which was concurred in.

On motion of Mr. Love a message was sent proposing to vote for solicitor of the 7th circuit at 12½ o'clock, which was not concurred in.

On motion of Mr. Webb a message was sent proposing to vote for Attorney General at 1½ o'clock, which was concurred in.

On motion of Mr. Wheeler a message was sent proposing to vote for trustees of the University at 1 o'clock. Concurred in.

A message was received from the Senate agreeing to vote for U. S. Senator to-day at 12 o'clock.

The bill to divide the State into fifty Senatorial districts was taken up as the unfinished business, the question being on the amendment offered by Mr. McIntyre.

Mr. Puryear addressed the House at some length, and concluded by offering an amendment to the amendment, which was accepted by Mr. McIntyre.

Mr. Dargan obtained the floor and spoke until 12 o'clock, when the House proceeded to

VOTE FOR SENATOR.

Messrs. Chesnut and Smith superintended the election.

The name of Mr. Rayner was withdrawn and that of Mr. Woodfin substituted.

All the Democrats voted for Mr. Dobbin except Mr. Cotten, who voted for Mr. Shepard, and Mr. Love, who voted for Mr. Daniel.

All the Whigs voted for Mr. Woodfin except Messrs. Blow and Holeman, who voted for Mr. Dobbin, Mr. Mills, who voted for Mr. Clingman, and Mr. Tolson, who voted for Mr. Osborne.

The whole number of votes cast was 162. Necessary to a choice 82. Mr. Dobbin received 80; Mr. Woodfin 76; scattering 6. No election.

Mr. Dargan resumed his remarks and spoke until 12½ o'clock, when the House proceeded to

Vote for Solicitor of the 6th Circuit.

Messrs. Carmichael and Wheeler superintended the election.

In nomination W. P. Bynum and Wm. Lander.

The whole number of votes cast was 157. Necessary to a choice 75. Mr. Bynum received 68; Mr. Lander 89. Mr. Lander was elected.

The unfinished business was resumed.

Mr. Saunders, of Wake, moved to send a message to the Senate proposing to raise a joint select committee of conference, to consist of two from each House, to which shall be referred all the plans for arranging the Senatorial districts.

Pending the question the hour of 1½ o'clock having arrived, the House proceeded to vote for 3 trustees of the University.

The whole number of votes cast was 154. Necessary to a choice 78. S. P. Hill received 91, J. G. Bynum 47, W. T. Dortch 72, S. F. Philips 42, R. H. Smith 34. The rest scattering. Mr. Hill only was elected.

The motion made by Mr. Saunders then prevailed—yeas 88, nays 19, and the message was sent to the Senate and concurred in.

On motion of Mr. Carmichael a message was sent to the Senate proposing to vote for a Judge of the Superior Court to-morrow at 12 o'clock.

A message was received from the Governor informing the Legislature that he did not appoint an agent to search the State offices in London, because of the insufficiency of the appropriation. Also that another vacancy had occured in the Trustees of the University. Sent to the Senate.

Mr. Martin's resolution to limit the length of speeches to 15 minutes was taken up and adopted.

The House then proceeded to vote for Attorney General:

Mr. Cotten added to the nominations the name of Sion H. Rogers, of Wake.

Mr. Williams, of Warren, withdrew the name of Mr. Eaton.

The whole number of votes cast was 154. Necessary to a choice 78. Mr. Ransom received 90; Mr. Rogers 7; and Perrin Busbee 29; the rest scattering. Mr. Ransom was elected.

A message was received from the Senate proposing to vote for solicitor of the 7th circuit to-morrow at 1 o'clock. Concurred in.

On motion of Mr. Cook his bill to lay off the Congressional districts was made the special order of the day for to-morrow at 11 o'clock.

Bills on second Reading.

Bill to incorporate the Wilmington cemetery company. Passed.

Bill for the better protection of the rights of married women, &c. Referred to the Judiciary committee.

Bill to incorporate the Charleston, Blue Ridge and Chatanooga railroad company. Pending the reading of the bill

The House took a recess.

EVENING SESSION—3½ o'clock.

The Charleston, Blue Ridge and Chatanooga railroad bill passed its second reading.

Mr. Johnson introduced a bill to provide for a board of public works.

Mr. Strange a bill to amend the 15th section of the 31st chapter of Revised Statutes, so as to provide for holding two weeks court in New Hanover county.

Mr. Philips, from the Judiciary committee, reported a bill to continue the commission to revise the statutes of the State.

Also a resolution to pay M. W. Ransom $300.

Also a resolution to pay R. M. Saunders $500.

Mr. McDugald introduced a bill concerning roads, bridges, &c.

Mr. McIntyre a bill to apportion the members of the House of Commons.

Mr. Strange a resolution to give the use of the Hall to the seamen's friend's society on Sunday night. Adopted.

Mr. Pegram a resolution in favor of Ray & co.

Mr. Turner, of Orange, a bill explanatory of an act passed in 1839, concerning insolvent debtors.

Mr. Collins a bill in relation to the capitol square.

Mr. Stubbs a bill to prohibit the sale of goods and merchandise without a license. Made special order for Monday next.

Nr. Phillips a bill to incorporate the Haw Fields volunteer company.

Mr. McIntyre presented a memorial concerning fishing in the Pedee river.

Mr. Philips introduced a bill to incorporate the Chapel Hill and Raleigh plankroad company.

Mr. McNeill presented a memorial signed by 10,587 voters, 4,123 ladies, and 163 youths, praying a change in the license laws of the State.

Mr. Munday moved to lay the memorial on the table, and his motion was advocated by himself and Mr. Miller.

Messrs. McNeill, Cherry, and R. M. Saunders opposed the motion, and contended that the memorials should be treated in a respectful manner.

The question being taken the memorials were not laid upon the table—yeas 21, nays 87.

Mr. Collins moved that the memorials be read, which was done.

Mr. McNeill moved to refer the memorials to a special committee of five.

Mr. Mills moved to amend by referring to Judiciary committee, which prevailed.

On motion of Mr. Lander leave of absence was granted to Mr. Simons from and after to-day, and Mr. Dunn from and after Monday next.

A motion to adjourn did not prevail—yeas 22, nays 87.

The House then took a recess.

NIGHT SESSION—7 o'clock.

Mr. Dobbin, from the committee on Finance, reported a bill to regulate the form of bonds issued by the State. [Provides that the bonds shall have *coupons* attached.] The rules were suspended and the bill passed its second and third readings.

Mr. Smith gave notice that he would introduce a resolution to-morrow to change the rules of the House so as to prohibit the introduction of any more private bills.

Bills on third Reading.

Bill to incorporate the Roanoke and Meherring connexion company. Laid on the table.

Resolution to furnish Congressional library with certain laws of the State. Passed.

Bill concerning Conrad Gold Mining Company. Passed.

Bill to provide for holding an extra term of the Superior court for Wake county. Passed.

Bill to incorporate the town of New Salem. Passed.

Bill to change the name of the county seat of Yadkin. Passed.

Resolution to furnish Governor's residence. Passed.

Bill to incorporate a company to construct a railroad from some point at or near Fayetteville to the Chatham coal fields. Passed.

Bill to incorporate the Fayetteville mutual insurance company. Passed.

Bill to prevent the stealing or taking away of negroes. Passed.

Bill to authorize J. Cline, sheriff of Catawba, to collect arrears of taxes. Laid on the table.

Bill to amend an act incorporating the Greenville and Raleigh plankroad company. Passed.

Several private incorporation bills were laid on the table.

Bill to incorporate the seaman's friend's society. Passed.

Bill to amend Revised Statutes, chap. 37, concerning deeds and conveyances. Laid on the table.

Bill to restore jury trials in the county courts of Columbus. Passed.

Bill to incorporate Locksville and Hillsborough plankroad company. Passed.

Resolution in favor of W. W. Green and L. A. Jeffreys. Passed.

Bill to alter the time of holding courts in Watauga county. Passed.

Bil to facilitate the recovery of debts from non-resident debtors. Passed.

Bill to incorporate the Lumberton and Columbus plankroad company. Passed.

Bill to enlarge the powers of the commissioners of Newbern. Passed.

Bill to protect the rights of persons holding personal property in common. Passed.

Bill concerning the official bonds of sheriffs, coroners and constables. Passed.

Bill to incorporate the bank of Charlotte. Passed—yeas 60, nays 18.

Mr. Dargan, from the Judiciary committee, reported the bill to incorporate the merchants and planters' bank in Wilmington, and it passed its second reading.

Mr. Cherry introduced a bill to allow the Comptroller $500 additional sallary to pay clerk's hire.

On motion of Mr. Reid, of Duplin, leave of absence was granted to Messrs. Ward and Russell from and after Monday next, and to Mr. Fonville from and after Tuesday next.

On motion of Mr. Long of Randolph, leave of absence was granted to Mr. Walton from and after Monday next.

And the House adjourned.

SENATE.

SATURDAY, Dec. 18, 1852.

A message was received from the House of Commons, proposing to go into the election for a Judge of the Superior Court, next Monday at 12 o'clock. Laid on the table.

Mr. Clark, from the committee on Corporations, reported back the bill to amend the Washington Mining company; also, bill to incorporate the Ashborough and Salisbury Plankroad company; also, the Greensborough Mining company; also the bill to incorporate the Tarborough and Joiner's Depot Plankroad company.

Mr. Bunting offered a resolution, instructing the State Librarian to have a catalogue of the books in said Library printed; also, to subscribe for two copies of the principal newspapers in the State, for the use of the Library.

A message was received from the House, informing that that body had passed the bill to incorporate the bank of Charlotte, with an amendment, and asking the concurrence of the Senate to the amendment. Concurred in.

Mr. Caldwell asked leave to introduce a bill, to amend the Charter of the town of Charlotte, and remarked, that the bill had been received by him since the time had expired, by order of a resolution, for the introduction of bills. The Senate refused to give the Senator leave.

Mr. Washington, from the committee on the Library, made a lengthy and interesting report, and offered a resolution, authorizing the Governor to purchase 150 copies of Wheeler's History of North Carolina, for distribution, as provided for in said resolution.

Mr. McDowell, from the committee on Amendments to the Constitution, reported back the bill to give the election of Justices of the Peace to the people, and recommended its passage.

The unfinished business of yesterday, being the Resolutions in relation to the Public Lands, were taken up.

Mr. Caldwell moved to amend, by striking out the word "*lands*," after proceeds; which was rejected.

Mr. Bower moved to amend by inserting after "requested," the words "if in their opinion Congress has the right under the Constitution." Rejected.

The question then recurring on the passage of the resolutions the second time,

Mr. Bower said he would vote for their passage in order to have an opportunity to amend them on their third reading.

The resolutions then passed, yeas 25, nays 19.

A message was received from the House, proposing that the subject of the Eight Congressional Districts be referred to a joint committee of conference. Agreed to.

Second reading of Bills.

Bill to amend the charter of the Raleigh and Gaston Rail Road. Passed.

Bill to amend an act entitled divorce and alimony. Passed.

Bill to encourage agriculture and for other purposes. Passed 2nd and third times.

Third Reading of Bills.

To increase capital stock of the Commercial Bank. Rejected.

Defining the duties and powers of Turnpike and Plank Road companies. Passed.

Bill to amend an act, making real estate assets. Passed.

To pay wardens of poor, in Anson, Nash and Onslow. Passed.

Bill to protect the timber growing on the lands belonging to the Literary Board, and for other purposes. Passed.

Hour of 1 o'clock having arrived, the Senate proceeded to vote for a Solicitor of the seventh judicial Circuit.

Mr. Shaw nominated Mr. A. W. Burton, and Mr. Bynum nominated Mr. B. S. Gaither:

For Mr. Burton—Mr. Speaker, Barrow, Berry, Bower, Boyd, Brogden, Bunting, Caldwell, Cannady, Clark, Collins, Cunningham, Drake, Hargrave, Herring, Hoke, Jones of Wake, Kerr, McMillan, Murchison, Person, Shaw, Speight, Ward and Withers.

For Mr. Gaither—Messrs. Albright, Albritton, Arendell, Cowper, Gilmer, T. F. Jones, Joyner, Kelly, Lane, Mitchell, Lillington, Murray, Palmer, Parks, Richardson, Thompson, Washington, Willey and Woodfin.

Senate took a recess.

EVENING SESSION, 3½ o'clock.

A message was received from the House, proposing to go into an election for two trustees of the University, this evening, 4½ o'clock. Not agreed to.

Second reading of Bills.

Bill to incorporate Rutherford and Cleveland Plank Road Company. Passed.

Incorporate New River Canal Company. Passed.

Impower the navigation of the South West Branch of New River. Passed.

Incorporate Jacksonville and Trent River Plank Road Company. Passed.

Upper Little River navigation Company. Passed three times—rules suspended.

Incorporate Euwharie and Yadkin Plank Road Company. Passed.

For the better navigation of the Town of Clinton. Passed 2nd and 3d times.

To give county court of Randolph jurisdiction over the sales of real estate in certain cases. Passed third time.

Incorporate the Greensborough and Deep River Plank Road Company. Passed.

Mr. Caldwell moved to reconsider the vote by which was rejected the bill to increase the capital stock of the Commercial Bank. Motion prevailed, and the bill was then laid on the table.

Senate then took a recess till 7½ o'clock.

NIGHT SESSION—7½ o'clock.

Third reading of Bills

The bill concerning the county Court of Edgecombe, was read and passed third time.

Resolution in favor of B. W. Bill. Passed.

Bill to revive and continue in force the N. C. Mining company.

Resolution in favor of W. D. Humphrey—indefinitely postponed.

Resolution in favor of S. W. Searbrough. Passed.

Bill to incorporate the town of Winston. Passed.

Bill authorizing the erection of a toll bridge over New River. Passed.

Bill authorizing town of Smithville to transfer certain lot. Passed.

Bill in favor of C. Latham. Passed.

Bill to incorporate Guilford county Mining company. Passed.

Bill to incorporate the Neuse River and Snow Hill plankroad company. Passed.

Bill to incorporate the Tarborough and Enfield plankroad company. Passed.

Bill to incorporate Perseverance Mining company. Passed.

To incorporate Manteo Mining company. Passed.

To incorporate Neula River and Copper Mining company. Passed.

Bill to incorporate the town of Troy.

Mr. Thomas, from the committee on internal improvements, reported back the bill to incorporate the Suffolk and Gatesville Rail Road company, with amends, and recommended its passage.

Senate then adjourned till Monday morning 10 o'clock.

HOUSE OF COMMONS.

SATURDAY, December 18th, 1852.

The Speaker announced the House part of the committee of conference on Senatorial districts to consist of Messrs. R. M. Saunders and Amis.

On motion of Mr. Saunders a message was sent to the Senate proposing to vote for a Judge of the Superior court for the 3d, 5th, or 7th circuit on Monday next at 11 o'clock, which was not concurred in.

Mr. Puryear, from the committee on Propositions and Grievances, reported the bill concerning pilots and pilotage and recommended its passage. Indefinitely postponed.

Also the bill concerning a public lot near Raleigh, with a substitute. Mr. Saunders offered an amendment, which was lost. The substitute was then adopted and the bill passed its second reading.

Also the bill to establish a new county to be called Wilson, and recommended that it do not pass.

Mr. Bryant offered an amendment providing that the people of Johnston, Nash and Edgecombe should decide, by vote, whether the county should be erected.

Mr. Smith moved the indefinite postponement of the bill and amendment, which did no prevail—yeas 32, nays 56.

The special order, being the bill to lay off the Congressional districts, coming up, Mr. Caldwell, of Guilford, moved to postpone it until Monday next, which did not prevail—yeas 24, nays 71.

On motion of Mr. Martin the bill was laid on the table, and a message sent proposing to raise a committee of conference to which all the plans for re-arranging the Congressional districts shall be referred, which was concurred in.

The motion to reconsider the vote by which the North Carolina and Tennessee railroad bill was rejected was taken up, and the motion to reconsider was withdrawn.

Mr. Saunders, of Wake, then offered an amendment proposing to strike out the original bill and insert one providing for the extension of the central road East to Beaufort, the company to be called the Atlantic and N. C. railroad company; and also for a survey for the extension West, and if found practicable, on one-third being subscribed by individuals the State to subscribe the remaining two-thirds, to be paid in any State stocks the Legislature may designate.

Mr. Saunders proceeded to address the House in a long and able speech, during which he took occasion to defend himself from the attacks recently made upon him by certain newspapers in Virginia and letter-writers in Washington, whom he denounced, admitting at the same time the right and the duty of the press of his own State to criticize his public course. He alluded to his position upon the public lands, declaring that if Gen. Pierce would put his veto upon the wasteful squandering of those lands he was ready to stand by him; but he did not believe that he would interpose the veto, and therefore he (Mr. S.) was in favor of the distribution of the lands. He concluded with a prayer for the prosperity of his State, and took his seat amid much applause.

Mr. Webb offered an amendment providing for the extension of the Spartanburg railroad to connect with the Western extension of the Central road and addressed the House in favor of it until 1 o'clock, when the House proceeded to

Vote for Solicitor of the 7th circuit.

In nomination, Messrs. B. S. Gaither and A. W. Burton.

All the Whigs voted for Mr. Gaither except Messrs. Blow, Collins and Godwin, who voted for Mr. Burton.

All the Democrats voted for Mr. Burton except Messrs. Byrd, Love and Munday, who voted for Mr. Gaither.

The whole number of votes cast was 146. Necessary to a choice 74. Mr. Burton received 74; Mr. Gaither 72. Mr. Burton was elected.

Mr. Webb resumed and concluded his remarks; and the question occurring upon his amendment it was rejected—yeas 2, nays 88.

Mr. Webb offered another amendment providing that the road shall commence at Salisbury or Charlotte or some intermediate point, which was voted down.

The amendment offered by Mr. Saunders was then adopted—yeas 53, nays 45.

The question occurring on the passage of the bill its second reading, the yeas and nays were demanded,

And the House took a recess.

EVENING SESSION, 3½ o'CLOCK.

Mr. Amis offered a resolution in favor of W. R. White.

Mr. Munday introduced a bill to provide for the entry taker of Macon to make his return of entries to the agent of Cherokee lands.

Mr. Perkins a resolution that no private bills shall be introduced after to-day. Adopted.

Mr. Black a bill to amend the act incorporating the town of Charlotte.

Mr. Dobbin a bill to amend an act to emancipate two slaves, Lucy and her child.

Mr. Love a bill to amend an act incorporating the Rich mountain turnpike company in Haywood county;

On motion of Mr. Adams a message was sent to the Senate proposing to vote for two trustees of the University at 4 o'clock. Not concurred in.

Mr. McNeill a resolution in favor of William R. Lovel. Rules suspended and passed 2nd and third readings.

Mr. Erwin a bill in favor of Jacob Aby.

Mr. Avery, from the committee on internal improvements, reported three bills concerning the Wilmington and Manchester railroad, making amendments to the charter.

Mr. Wheeler a bill to lay off the State into ten electoral districts. [Provides that the Congressional districts shall stand as the electoral districts, and that there shall be two electors at large.]

Mr. Strange a bill to amend an act providing for the re-assessment of the real estate in Wilmington.

Mr. Tripp a bill concerning elections in Beaufort county.

Mr. Scales a bill to emancipate Joseph Bolling, a slave. Rejected.

Mr. Blow, from the select committee, reported back the memorial praying the establishment of a medical board, and asked to be discharged. Report concurred in.

Mr. Avery moved that the use of the Hall be granted to the Bible Society next Monday night; but withdrew the motion, considerable opposition having been manifested on the ground that the business required the House to be in session at that time.

Mr. Strange a bill to amend an act concerning the election of a magistrate for the town of Wilmington.

Mr. Cherry a resolution to increase the salary of the Treasurer. Allows him $500 additional.

Mr. Tolson moved the rejection of the resolution.

Messrs. Miller, Martin, and McDugald spoke in opposition to the resolution; and Messrs. Cherry, Spruill, Dobbin, Norfleet, Collins and Wheeler in favor of it.

The question being taken on the rejection of the resolution, the vote was—yeas 45, nays 49. So the House refused to reject.

NIGHT SESSION—7 o'clock.

Bills on their third Reading.

Bill to incorporate the Charleston, Blue Ridge and Chattanooga railroad company. Passed.

Bill to establish the merchants and planters bank in Wilmington. Passed.

Bill in favor of John Smith of New Hanover county. Passed.

Bill for the protection of boats, canoes and sea coasting vessels. Passed.

Bill to amend an act conferring on courts certain powers over lunatics. Passed.

Bill to establish a public road in the county of Madison. Laid on the table and made the special order for Monday at 11 o'clock.

Mr. Williams, of Warren, moved to take from the table the bill to prohibit free negroes from carrying firearms; which did not prevail.

Bill to authorize the union of the Greenville and Roanoke and Petersburg railroad companies.

Mr. Spruill moved its indefinite postponement, and he and Mr. Cherry advocated the motion, which was opposed by Messrs. Bynum, McNeill and Williams. The House refused to postpone and the Bill passed.

Bill to incorporate the Salisbury, Mocksville and Wilkesborough plank road company. Passed.

Bill to amend an act incorporating the town of Lumberton. Passed.

Mr. Cherry, on behalf of the Finance committee, introduced a resolution to authorize the Treasurer to borrow such sum of money, not exceeding $200,000, as may be necessary to meet the liabilities of the State before the next session of the Legislature. The rules were suspended and it passed its 2nd and 3d readings.

On motion of Mr. Carmichael leave of absence was granted to Mr. Turner, of Iredell, from and after Wednesday next.

Mr. Stiles introduced a resolution in favor of H. B. King of Cherokee county.

And the House adjourned.

SENATE.

MONDAY, Dec. 20, 1852.

Mr. Woodfin, from the committee on the Judiciary, reported back the bill to amend the 8th chapter of Revised Statutes, and recommended its passage.

Mr. Clark offered a resolution proposing to rescind the joint resolution to adjourn on Wednesday next, and that the day of adjournment be fixed for Saturday, 25th instant.

He remarked that, from the amount of business now before the Senate, and the mass of bills to come from the House of Commons, he had no idea that, between this day and Wednesday, it could be dispatched; and he was disposed to do the business which he had pledged himself to do before coming to the Senate.

Mr. Joyner objected to the resolution; he said he had never seen so few bills on the Clerk's table two days before the adjournment.

Mr. Bynum objected to the resolution; he could not see why it was necessary to postpone the day of adjournment unless it was to effect some of the elections which had not been made.

Mr. Caldwell said he would vote for the resolution to rescind, and he would tell the Senator, and the other side of the house, that *he* was willing to stay here until a Senator *was* made, and they might prepare themselves for the hotest fight on to-morrow that they have had this session. The Democrats could not elect a Democrat, and the Whigs would not. On to-morrow, with one of their own men, a Western man—Thomas L. Clingman—the fight would be made.

Mr. Thompson said if the fight was to be a fair one he had no objection to it—if beaten fairly he would most cheerfully submit; but he did object to the postponement in order to take advantage of absentees. He said that after the balloting was had on to-morrow he was willing to postpone indefinitely the subject of an election for the present session.

Mr. Caldwell, in reply, said that if an election could not be effected to-morrow he did not believe it could be done this session, and for himself [he would not undertake to speak for his party] he was willing to the indefinite postponement.

Mr. Bynum moved to lay on the table, which motion prevailed.

Mr. Boyd, from the committee, to wait on the Governor, reported, that his Excellency would appear before the two Houses of the General Assembly, on Wednesday next, at 12 o'clock, to take the oaths of office.

Mr. Thompson moved to send a message to the House, proposing to vote on to-morrow for a U. S. Senator; and, if no election is made on that day said election be postponed indefinitely for the present session.

Mr. Hoke moved to strike out all after 12 o'clock. Not agreed to.

The motion then prevailed.

Mr. Woodfin, from the committee on the judiciary, reported back the bill relating to trials in capital cases, and recommended its passage; also, the bill directing the Public Treasurer to surrender certain bonds to the Seaboard and Roanoke Rail Road company, with an amendment; also, the bill for the better regulation of the wardens of the poor of Onslow; also, bill for the better protection of certain citizens of the State.

Mr. Lillington, from the same committee, reported back the bill providing for the protection of stock in the mountain ranges, and recommended its rejection.

Unfinished business of Saturday, being the bill to abolish present form of the Supreme Court, &c., was taken up and rejected.

Second Reading of Bills, &c.

Resolution concerning the public arms of Plymouth. Passed.

Bill to repeal an act concerning fisheries in the Counties of Tyrell and Washington; laid on the table.

Bill for the protection of sheep. Rejected.

Bill to repeal the 9th section of the 42d chapter of Revised Statutes. Passed.

Bill to amend the Constitution of North Carolina.

Mr. Lillington offered as an amendment, "a bill, to ascertain the will of the people in relation to the call of a Convention to amend the Constitution of the State."

Mr. Caldwell moved to amend, by inserting after the words "Convention or no Convention," the words "Free Suffrage or no Suffrage."

Mr. Lillington accepted the amendment, and

Mr. Joyner moved to lay on the table; which motion prevailed.

Bill to incorporate the North Carolina and Western Railroad company.

Postponed till 3½ o'clock.

Senate then took a recess.

EVENING SESSION, 3½ o'clock.

The question being on the motion of Mr. Brogden to strike out the 36th section in the North Carolina and Western Railroad, it was decided in the affirmative, and the bill was then laid on the table.

Resolution in favor of Jos. R. Anderson; passed its third reading.

Bill to establish the Bank of Cumberland, was rejected on its second reading.

First reading of Bills.

To facilitate the recovery of debts from non-resident debtors.

Bill to transfer part of the Stock of the Fayetteville and Western Plankroad to the Yadkin and Greenville Road, was indefinitely postponed.

The Senate then adjourned.

HOUSE OF COMMONS.

MONDAY, Dec. 20, 1852.

The unfinished business, being the bill for the formation of companies for the extension of the central railroad East and West, was taken up, the question being upon the passage of the bill its second reading.

Mr. Mills offered an amendment providing for the formation of the Rutherford and McDowell railroad company; which was rejected.

The bill then passed—yeas 46, nays 45.

On motion of Mr. Avery the rules were suspended and the bill passed its third reading, which was followed by considerable applause.

Mr. Leach moved to take up his Convention bill and make it the special order of the day for to-morrow 1 o'clock; which did not prevail.

Mr. Cotten contended that he had demanded the yeas and nays on the passage of the railroad bill on its third reading, and the Speaker said he did not hear him.

Mr. Stubbs, to relieve the Chair, moved a reconsideration of the vote, and the House refused to reconsider—yeas 41, nays 55.

On motion of Mr. Leach his Convention bill was taken from the table, and Mr. Mooring moved that it be indefinitely postponed, which motion prevailed—yeas 54, nays 47, as follows:

YEAS: Messrs. Albertson, Alford, Allen, Avery, Barco, Barrett, Black, Blow, Bryant, Burton, Bynum of Northampton, Cherry, Chestnut, Christmas, Corbett, Daniel, Dobbin, Dortch, Ellis, Eure, Fonville, Foreman, George, Hill of Caswell, Hill of Duplin, Jarvis, Jones, Lander, Long of Caswell, Lyon of Orange, Mooring, Murday, McNeill, Norfleet, Pegram, Perkins, Phelps, Reid of Duplin, Reid of Rockingham, Rives, Russell, Saunders of Wake, Sauls, Scales, Sherrill, Smith, Spruill, Strange, Ward, Wheeler, Whitehurst, Williams of Warren and Wood—54.

NAYS: Amis, Adams, Bynum of Chatham, Byrd, Caldwell of Guilford, Calloway, Carmichael, Cook, Cotten, Dargan, Dobson, Durham, Erwin, Fagg, Furr, Gaither, Guynn, Harris of Cabarrus, Harris of Davidson, Holeman, Johnson, Leach, Lowry, Love, Marshall, Matthews, Mills, McDugald, McIntyre, Perry, Phillips, Puryear, Sanders of Johnson, Shimpock, Stiles, Stubbs, Teague, Thornburgh, Tolson, Trexler, Tripp, Turner of Iredell, Turner of Orange, Walton, Waugh, Webb, and Williams of Greene—47.

On motion of Mr. Hill, of Caswell, a message was sent to the Senate proposing to raise a joint committee to examine the unfinished business and report when the two Houses can adjourn.

The resignation of C. H. Wiley, one of the members from Guilford, to take effect from and after Wednesday next, was read and accepted.

The bill to apportion members of House of Commons was read second time and passed.

The bill to establish a public road in Madison county, passed its third reading.

Mr. Saunders, from the Judiciary committee, reported back the bill to establish a freehold homestead with an amendment, which was adopted; several other amendments were also adopted, and the bill was finally rejected—yeas 49, nays 50.

A message was received from the Senate proposing to raise a joint committee to make arrangements for the reception of the Governor on Wednesday to take the oath of office. Concurred in.

Also proposing to vote for U. S. Senator to-morrow at 12 o'clock, and if no election is made during the day it shall be indefinitely postponed.

The pro