LEGISLATIVE PROCEEDINGS.

SENATE.

WEDNESDAY, December 11, 1850.

The Senate met according to adjournment.

A message was sent to the House, stating the passage of the engrossed bill from the House entitled a bill to incorporate the Greenville and Raleigh Plank Road Company, with sundry amendments.

REPORTS FROM COMMITTEES.

Mr. Woodfin, from the Judiciary Committee, to whom was referred a memorial relating to the protection of stock, reported a bill to prevent the destruction of live stock in the wild range. Read first time.

Mr. Cameron from the Committee on Corporations, to whom was referred the bill to authorize the building of a toll bridge on Dan river, in Caswell county, and to incorporate the same, reported the same and recommended its passage. Also, a bill to encourage the investment of capital for mining and manufacturing purposes. Also, a bill to incorporate Connohe Lodge in the town of Hamilton. Also, a bill to incorporate Theophilus Division, No 57, of the Order of the Sons of Temperance, in the Town of Murfreesborough. Also, a bill to incorporate a bank in the town of Greensborough in the county of Guilford. Also, a bill to incorporate a bank in the town of Washington. Also, a bill to amend an act for the incorporation of the town of Washington. Also, a bill to incorporate the Fayetteville and Northern Plank Road company. Also, a bill to incorporate the Ringgold Guards. Also, a bill to incorporate a Female Academy in the town of Hamilton. Also, a bill to incorporate Windsor Female Academy. Also a bill to incorporate Franklinsville Academny. Also, a bill to incorporate Home Guards in Pasquotank.

Mr. Woodfin from the Judiciary committee to whom was referred the bill to provide for the pay of witnesses in certain cases, reported a substitute, which was read the first time, passed and ordered to be printed.

BILLS, RESOLUTIONS, &c.

Mr. Caldwell of Mecklenburg, presented a memorial of sundry citizens of the County of Mecklenburg praying for the passage of a law, subjecting to taxation certain articles manufactured out of the State. Referred to the Committee on Finance.

Mr. Cameron introduced a bill to incorporate Cool Spring Tent, No. 263. Independent Order of Rechabites, in the town of Fayetteville. Passed and referred to Committee on Corporations.

Mr. Bunting, a bill to incorporate the Fayetteville and Warsaw Plank Road Company. Read first time and referred to Committee on Corporations.

Mr. Woodfin, a bill to repeal an act of 1848-'9, entitled an act to amend the charter of Hickorynut Turnpike Company. Read first time and referred to Committee on Propositions and Grievances.

The Speaker presented the report of the Comptroller, in answer to a resolution of the Senate, directing him to report the amount of land and poll tax, discriminating between white and black polls. On motion of Mr. Shepard, ordered to be laid on the table.

Mr. Joyner presented the following Preamble and Resolution in relation to the Raleigh and Gaston Rail Road, which was made the order of the day for Saturday next and ordered to be printed:

WHEREAS, the Raleigh and Gaston Rail Road is the property of the State, and is in a most ruinous and dilapidated condition, discreditable to the owner and affording but little comparative advantage to the public; and unless it be reconstructed all the operations must in a short time cease:

Resolved, therefore, That it is expedient to reconstruct the road upon the following terms and conditions: That a company be incorporated with a capital stock of eight hundred thousand dollars, to rebuild the said road with a heavy T iron or other iron equally good, weighing not less than fifty-one and a half pounds to the linear yard and to properly stock and equip the said road; that the entire road with all the property of every description appertaining to the same shall form a part of the said capital to the amount of four hundred thousand dollars, to be owned by the State; that solvent individuals subscribe for four hundred thousand dollars to the capital stock of said company, and after having expended one half thereof in the reconstruction of said road, the President and Directors of said company be authorized to mortgage the one half of said road, belonging to individuals, to enable them to purchase iron and other materials for its complete equipment; that one half of said road, when thus reconstructed and equiped, shall belong to the said individual subscribers, and that preference to be given for thirty days after the rise of the present General Assembly, to the individual stockholders of the late Raleigh and Gaston Rail Road Company to subscribe for the four hundred thousand dollars contemplated by the resolution or any part thereof, after which time, if not then taken, the subscription to be opened to all persons.

Mr. Washington introduced the following Preamble and Resolution, which were read the first time:

WHEREAS, it is believed there are, in the Eastern part of the State, large bodies of waste and unimproved Swamp Lands, which in their present condition are useless to the Literary Board, to the State, or its citizens, and are likely so to continue; and whereas it is believed the Literary Fund would be increased and the interest of the State and the citizens would be promoted by either making said lands subject to entry under certain limitations and restrictions, or allowing them to be sold at certain fixed rates. Therefore,

Resolved, That the committee on Education and the Literary Fund be instructed to enquire into the propriety of draining all such swamp lands belonging to the Literary Fund, as may not have been drained or attempted to be drained, though the quantity thereof may exceed 2,000 acres in a body; or of allowing the Literary Board to sell the same at certain fixed, fair rates; and that they report by bill or otherwise.

Mr. Woodfin, a bill to amend 21st section of 125th chapter of the Revised Statutes. [Provides that sheriffs shall advertise land for taxes 90 days previous, and repeals the clause requiring sales of lands to be advertised in a Raleigh newspaper.]

Mr. Arendell, a bill to incorporate the Beaufort and North Carolina Rail Road Company. Read and referred to committee on Internal Improvements.

On motion of Mr. Bynum the Senate adjourned until to-morrow morning 11 o'clock.

HOUSE OF COMMONS.

A message was received from the Senate, announcing the Senate Branch of the committee on enrolled bills for the week. Also, a message agreeing to rescind the order by which the report of the President and Directors of the Literary Board was referred to the committee on Finance, and disagreeing to the proposition to refer the same to a joint select committee.

Also, a message transmitting the following engrossed bills from the Senate: A bill to incorporate the Murfreesboro' Joint Stock Building Company; a bill to amend an act passed in 1830-'31 to incorporate the town of Gatesville, in Gates county; a bill to amend the 7th sec., chap. 5, of the Revised Statutes, concerning apprentices; a bill to incorporate Fulton Lodge, No. 99, Ancient York Masons, Salisbury, N. C.; and a bill to authorize the Seaboard and Roanoke Railroad Company to issue bonds; all of which were read the first time.

On motion of Mr. Barnes of Northampton, the rules were suspended and the last bill read a second time. Mr. Barnes moved to suspend the rules and put the bill on its third reading, but objection being made, the motion was withdrawn.

PETITIONS AND MEMORIALS.

Mr. Eaton introduced a memorial praying an act of incorporation; referred.

Mr. Hill, of Caswell, a memorial praying a change of the law concerning the advertisement of lands sold for taxes; referred to the committee on the Judiciary.

Mr. Leach, of Johnston, presented the resignation of Richardson O'Neal, a Justice of the Peace for that county; accepted.

BILLS AND RESOLUTIONS.

Mr. Jones presented a resolution in favor of Peyton P. Moore, and Richardson Nicholls, which was read the first time.

Mr. Eaton a bill to incorporate Coldstream Division, No. 30, S. of T., Warrenton, N. C.; and a bill to incorporate Muchuena Lodge, No. 22, I. O. O. F., Warrenton, which were referred to the committee on Private Bills.

Mr. McMillan, a bill to lay off a public road from Jefferson to Gap Civil; read the first time.

Mr. Bogle, a bill to lay off and establish the County of Williams; read the first time.

Mr. Fleming, a bill to amend the act to build a turnpike road from Salisbury to the Georgia line. After debate between Messrs. Fleming and Hayes of Cherokee concerning the reference, the bill was referred to the committee on Cherokee lands.

Mr. Walton, a bill to incorporate the Piedmont plank Road Company, and to repeal an act of 1848-'9: referred to committee on Cherokee lands.

Mr. Avery presented a minority Report from the committee on slavery, which was read and ordered to be printed.

[See this Report in another column.]

The hour having arrived when the special order for the day should be taken up, being the subject of amending the Constitution, on motion of Mr. Fleming the special order was postponed to Friday next, and the unfinished business of yesterday taken up.

The resolutions of Mr. Bridges relating to the North Carolina Railroad were taken up for consideration.

Mr. Pope withdrew the resolutions offered by him yesterday as a substitute for Mr. Bridges resolutions, and offered the following in its stead, which was decided by the Speaker to be out of order while the indefinite postponement of the original resolutions was under consideration:

Resolved, That the General Assembly hereby proposes to the North Carolina Rail Road Company to abandon the said Rail Road charter on the conditions that said Company shall return to each stockholder the amount paid in by him or her, and that the State of North Carolina shall pay all reasonable expenditures incurred in regard to said Road.

Messrs. Cotten and Brogden then addressed the House at length in support of the resolutions, and agaist the policy of building the North Carolina Railroad. Mr. Brogden had not concluded when he gave way to a motion for adjournment, and the House adjourned to 3 o'clock.

EVENING SESSION.

Mr. Brogden resumed his remarks, which he continued to a great length. Mr. Saunders of Wake, followed, in defence of the Rail Road system, who occupied the attention of the House to a late hour, when he gave way for a motion to adjourn, and the House adjourned till to-morrow at 10 o'clock.

SENATE.

THURSDAY, December 12, 1850.

The Senate met according to adjournment.

The House was informed that the Senate had passed the following engrossed bill and resolution, in which they ask the concurrence of the House: a bill to incorporate the Charlotte and Taylorsville Plank Road Company, and the resolution in favor of John H. Wheeler.

Mr. Bower presented a memorial from sundry citizens of Ashe county, in relation to the construction of a public road from Jefferson to the Virginia line. Referred, on his motion, to the committtee on Internal Improvements.

REPORTS FROM COMMITTEES.

Mr. Courts, from the committee on Propositions and Grievances, reported the bill to repeal the act of 1848-'9, entitled an act to amend the charter of the Hickory Nut Turnpike Company, and recommended its passage. Laid on the table.

Mr. Cameron, from the committee on Corporations, reported a number of bills, and recommended their passage. These bills will noticed on their second reading.

Mr. Drake, from the committee on Claims, to whom was referred a Resolution relative to the Salisbury and Western Turnpike, made a Report thereon, accompanied by the following Resolution, to wit:

WHEREAS, at the last session of the General Assembly of the State of North Carolina, an act was passed authorizing the construction of a turnpike road from Salisbury west to the Georgia line, and that the making of said road should be paid out of the funds arising from the funds of the Cherokee lands; and whereas, the expenses of survey and location have been paid out of the general Treasury of the State; therefore

Resolved, That the State Treasurer be and he is hereby authorized and required, that out of the first monies collected on notes, judgments, or any other claims due and arising from the sale of Cherokee lands, he retain and return to the general Treasury the sum of eleven thousand four hundred and fifty-seven dollars and thirty-three cents, with interest thereon from the 20th November, 1850—that being the amount expended in the survey of the Salisbury and Western turnpike road.

Ordered that said Report and vouchers be printed.

BILLS, RESOLUTIONS, &c.

Mr. Jones introduced a bill to incorporate Holly Springs Lodge of ancient York Masons, in the county of Wake. Referred, on his motion, to committee on Corporations.

Mr. Joyner introduced a bill to incorporate the Mechanic's Savings Society. Referred to committee on Corporations.

Mr. Cameron presented a petition praying the emancipation of Lewis Williams, a man of color. Referred.

Mr. Lane a bill in relation to Mills. Referred to committee on Propositions and Grievances.

Mr. Malloy a bill more adequately to compensate Constables. Referred to Judiciary committee.

The engrossed bill concerning original attachments was read the third time, passed, and ordered to be enrolled. The engrossed bill concerning Jury trials in the county of Buncombe was read the third time, amended, and sent to the House for concurrence. The bill concerning the duties of Sheriffs was passed the third time and ordered to be engrossed.

THE GOVERNOR ELECT.

Received a message from the Commons, proposing to raise a joint select committee, consisting of two on the part of the Senate and two on the part of the House, to inform the Hon. David S. Reid of his election as Governor of the State, and to know at what time it will suit him to appear before the General Assembly to take the oaths of office.

The proposition was concurred in, and the House of Commons informed thereof, and that Messrs. Bower and Joyner form the Senate's branch of said committee.

BILLS ON SECOND READING.

The bill to incorporate the Fayetteville and Centre Plank Road Company—the bill to incorporate the Tennessee River Rail Road Company—the bill to incorporate Conneho Lodge—the bills to incorporate the Trustees of Windsor and Colerain Academies—the bill to incorporate Oriental Lodge—the bill to incorporate the Home Gaurds—the bill to incorporate Theophilus Division, Sons of Temperance—the resolution in favor of Susannah Fox—the resolution in favor of Jason Sherrill—the bill authorizing a toll bridge on Dan River, near Milton—the bill to prevent the destruction of stock in the wild range—the bill to lay off and establish a new county by the name of Yadkin—the bill in relation to the execution of criminal process—the bill to incorporate Marratoch Division, Sons of Temperance—and the bill to incorporate Esperanza Lodge, were severally read the second time and passed.

On moition of Mr. Pender, the Senate adjourned until to-morrow 11 o'clock.

HOUSE OF COMMONS.

Mr. Brogden asked leave to make a personal explanation with regard to an expression he had used in the heat of debate yesterday towards Mr. Graves, Speaker of the Senate at the last session of the Legislature. He regretted that he had used the expression, and hoped that it would be considered as never having been said.

A message was received from the Senate asking the concurrence of the House in an amendment to the bill to incorporate the Greenville and Raleigh Plank Road Company; to strike out twenty-five years and insert fifty years, which was agreed to.

PETITIONS AND MEMORIALS.

Mr. Kallum presented a memorial from citizens of Rockingham county, praying the passage of an act to open the river Mayo so as to admit the passage of fish up the same, which was referred to the committee on Propositions and Grievances.

Mr. Bond, the petition of Sarah Avery, asking for a pension; referred to the committee on Claims.

BILLS AND RESOLUTIONS.

Mr. Hill, of Caswell, a bill to require Sheriffs to advertise lands sold for taxes in a newspaper published in the County in which the lands lie, which was referred to the committee on the Judiciary.

Mr. Durham, a bill to incorporate Samaritan Lodge, No. 31, I. O. O. F., Chapel Hill, Orange county, and Mr. Pegram a bill to incorporate La Fayette Division, S. of T., No. 2, Fayetteville, which bills were referred to the committee on Private Bills.

Mr. Pegram, a bill to provide for the opening of the Upper Little River, in Cumberland county, which was referred to the committee on Private Bills.

Mr. Gordon, a bill to incorporate the Yadkin Navigation Company, which was referred to the committee on Internal Improvements.

On motion of Mr. Wilson a message was sent to the Senate proposing to raise a joint select committee of two on the part of each House, whose duty it shall be to inform Hon. David S. Reid of his election as Governor of the State of North Carolina, and to know of him at what time it will suit him to appear before the General Assembly to take the oath of office; and that said committee make report thereof.

Mr. Pigott, a bill to repeal the act of 1844-'45 to attach that part of Carteret called Ocrocoke to Hyde county; referred to the committee on the Judiciary.

Mr. Fleming introduced a bill granting pre-emption rights to actual settlers on Cherokee lands, and moved its reference to the committee on the Judiciary.

Mr. Hayes of Cherokee, opposed this motion to refer, and moved to amend by referring it to the Joint Select committee on Cherokee lands.

A warm personal debate ensued between Messrs. Fleming and Hayes on this point. Finally the amendment of Mr. Hayes was not agreed to, and the bill was referred to the committee on the Judiciary.

On motion of Mr. Steele, the committee on the Judiciary were instructed to inquire into the expediency of increasing or altering the punishment for trading with slaves.

Mr. Stevenson presented the following resolutions, which were read the first time and referred to the committee on Internal Improvements:

Resolved, That our Senators and Representatives in Congress be, and they are hereby requested to procure a hydrographical survey of those waters lying between Pamplico Sound and Beaufort harbor, known as Core Sound, with a view of having the channel of said Sound deepened by dredging or otherwise.

Resolved, That a copy of these resolutions be transmitted to our Senators and Representatives in Congress.

Mr. Hayes of Cherokee, a bill more effectually to suppress gaming with cards, which was referred to the committee on the Judiciary.

On motion of Mr. Ruffin, the committee on the Judiciary were instructed to inquire whether or not, under the Revenue act of the session of 1848-'49 United States stocks are taxable.

On motion of Mr. McLean, the bill to lay off and establish the county of Williams was taken up, and referred to the committee on Propositions and Grievances.

Mr. Pigott a bill to require purchasers of Turpentine to pay the inspection fees, which was read the first time.

Mr. Bogle a bill to annex a part of the county of Wilkes to the county of Alexander, which was referred to the committeee on Propositions and Grievances.

Mr. Wiggins, a bill to incorporate Tuscarora Lodge, No. 122, Ancient York Masons, Oxford, Granville county, and Mr. Amis to incorporate Oxford Division, No. 41, S. of T., which bills were referred to the committee on Private Bills. Mr. Amis also introduced a bill to incorpoate the Tar river Academy, which was referred to the committee on Education.

On motion of Mr. Hayes, of Cherokee, the bill to appoint tax collectors for North Carolina, was taken up and referred to the committee on Finance.

NORTH CAROLINA RAILROAD.

The hour of 12 having arrived, the Speaker announced the special order of the day—being the bill to appoint a general superintendant of the Common Schools. On motion, the consideration of this subject was postponed until Saturday, and the House proceeded to the consideration of the unfinished business of yesterday, being the resolutions of Mr. Bridges, concerning the North Carolina Railroad.

Mr. Saunders, of Wake, took the floor, and continued his remarks from yesterday, during which Mr. Stevenson made an explanation of his remarks on Tuesday. The subject was further discussed by Messrs. Cherry, Winston, Drake, Sherard, Erwin, Jerkins, Fleming, Bond, Wilson, Taylor, Cotten, and Martin. [This debate will be given hereafter.] The question was then taken by yeas and nays on the motion to postpone indefinitely, when the motion prevailed—yeas 80, nays 36.

The House immediately adjourned to 11 o'clock to-morrow.

SENATE.

FRIDAY, December 13, 1850.

The Senate met, according to adjournment.

BILLS, RESOLUTIONS, &c.

Mr. Bower introduced a bill to improve the State road leading from Wilkesborough, by Jefferson to the Tennessee line. Referred to Committee on Internal Improvements.

Mr. Willey presented the proceedings of a public meeting held in Edenton on the subject of slavery. Read and laid on the table.

Mr. Berry presented a bill for the better regulation of the village of Chapel Hill. Read and referred to Committee on Corporations.

Mr. Hoke introduced a bill concerning the right of appeal in criminal cases. Read first time and referred to Judiciary Committee.

Mr. Woodfin introduced a bill to improve County prisons and to establish houses of correction. Read first time and referred to Judiciary Committee.

REPORTS FROM COMMITTEES.

Mr. Shepard, from the Committee on the Literary Fund, reported a bill to incorporate the Union Institute, in Randolph County, a Normal College, recommending its passage. Mr. Shepard, from the same Committee, reported a bill to change the mode of dividing the proceeds of the Literary Fund, and recommended its rejection.

Mr. Washington, from the Judiciary Committee, reported a bill to repeal the act of the last Assembly, providing for the support of a system of International, Literary and Scientific exchanges, and ecommended its passage.

Mr. Courts, from the Committee on Propositions and Grievances, to whom was referred the memorial, presented a bill to emancipate Lucy, a slave, and her daughter Laura. Read first time and passed.

Mr. Thomas, from the committee on Internal Improvements, to whom had been referred the bill to incorporate the Wilmington and Topsail Plank Road Company, reported the same and recommended its passage.

Mr. Washington, from the committee on the Judiciary, to whom was referred the bill in relation to slaves and free persons of color and for other purposes; and also the bill to prevent the Clerks of Courts from issuing certificates to free negroes and free persons of color, reported a substitute. Read first time and ordered to be laid on the table and printed.

READING OF BILLS.

The bill to incorporate the Home Guards, and the bill to authorize the building of a toll bridge on Dan River in Caswell in county, were read the third time and ordered to be engrossed.

The bill concerning corporations—the bill to encourage the investment of capital for mining and manufacturing purposes—the bill passed at the last session, concerning the county of Polk—the bill to incorporate the Trustees of Topsail Academy—and the bill to repeal the 57th section of the 106th chapter of the Revised Statutes, were severally read the second time and passed.

The bill to enlarge the powers of the Commissioners of the town of Wilmington was read the second time and passed.

FURNISHING THE TWO HALLS.

The Senate then took up the engrossed Resolutions from the House, proposing certain alterations and improvements of the Hall of the House of Commons, and asking an appropriation therefor.

The question being on agreeing to the amendment proposed by the select committee, that the Senate chamber be furnished in a similar manner to the House of Commons, and that the sum of $800 be appropriated for that purpose, it was not agreed to.

On motion of Mr. Courts, this vote disagreeing was reconsidered, when the amendment was again rejected, ayes 23, noes 24—the ayes and noes being demanded by Mr. Canaday:

YEAS—Messrs. Arendell, Barringer, Bond, Bynum, Caldwell of B., Courts, Davidson, Eborn, Gilmer, Grist, Haughton, Joyner, Kelly, Lane, McMillan, Malloy, Pender, Sessoms, Shepard, Speight, Washington, Willey and Woodfin—23.

NAYS—Messrs. Barnard, Barrow, Berry, Bower, Bunting, Caldwell of M., Cameron, Canaday, Collins, Drake, Hargrave, Herring, Hester, Hoke, Jones, Nixon, Richardson, Rogers, Sherod, Thomas, Thompson, Watson, Williamson and Wooten—24.

The question being on concurring in the Resolutions to furnish the Hall of the House of Commons, they were rejected, ayes 6, noes 41.

The Senate then proceeded to the consideration of the bill to incorporate a Bank in the town of Washington, Beaufort County, which was amended on motion of Mr. Shepard; and after some time spent in the consideration of said bill on motion of Mr. Bower, the Senate adjourned.

HOUSE OF COMMONS.

A message was received from the Senate transmitting the engrossed bill to incorporate the Charlotte and Taylorsville Plank Road Company, and a resolution allowing Col. John H. Wheeler the use of certain documents in the State Library for one year, which were read the first time. Also, a message, requesting the concurrence of the House in an amendment to the bill restoring jury trials to the County Court of Buncombe County. On motion of Mr. Erwin, the bill and amendment were laid on the table for the present. Also, a bill concerning the duties of sheriffs, which was read the first time.

Mr. Powers presented a memorial from the officers of the 30th Regiment of N. C. Militia, praying a revision of the Militia laws of the State, which was referred to the committee on Military Affairs.

Mr. Caldwell of Rowan, introduced a bill to incorporate the Salisbury and Taylorsville Plank Road Company; referred to the committee on Internal Improvements. Also, a memorial from certain farmers of Rowan, praying the Legislature to pass some law to protect their crops from destruction by Crows, which was laid on the table.

Mr. Hayes of Cherokee, a resolution to instruct the committee on claims to inquire into the claims of Mark Coleman and others, which was adopted.

Mr. Foard offered a resolution declaring that no member shall speak longer than thirty minutes, except by special leave from the House, which, on motion of Mr. Brogden, was laid on the table.

Mr. Pigott introduced a bill to exempt canoes and nets from execution in certain cases, which was referred to the committee on Judiciary. Also, the resignation of J. L. Boykin, a justice of the Peace of Sampson county, which was accepted.

On motion of Mr. Rayner, the committee on the Judiciary were instructed to inquire into the expediency of altering the law with respect to the tax on the erection of gates by private individuals across public roads.

Mr. Williams of Mecklenburg, a bill to repeal the 8th section of the Revenue Act, of 1848-'9, which was referred to the committee on Finance.

On motion of Mr. Fleming, the House reconsidered the vote by which the bill incorporating the Piedmont Plank Road Company was referred to the committee on Cherokee lands, and on his motion, the bill was referred to the committee on Internal Improvements. The House also reconsidered the reference of Mr. Fleming's bill to amend the act of 1848-'9 laying off a turnpike road from Salisbury to the Georgia line, and the bill was referred to the committee on Internal Improvements.

Mr. Webb, a bill to repeal a portion of the act of 1848-'9, establishing the turnpike from Salisbury to the Georgia line, so that it shall not be constructed between Salisbury and Asheville; which, after some conversation between Messrs. Walton, Fleming, and Hayes, was referred to the committee on Internal Improvements.

Mr. Farmer, a bill to incorporate Silico Division, No. 131, S. of T., Henderson county, which was referred to the committee on Private Bills.

Mr. Fonville, a bill to incorporate La Fayette Division, No. 22, S. of T., Onslow county, which was referred to the same committee.

Mr. Hayes moved to take up the bill for the relief of the purchasers of the Cherokee lands, and make it the special order of the day for Thursday next, which was agreed to.

Mr. Fleming and Mr. Hayes each made a personal explanation with reference to certain matters that had occurred yesterday. Mr. Hayes asked to be excused from further service on the select committee on Cherokee lands. Several gentlemen expressed themselves as having entire confidence in the gentleman from Cherokee, and thought, from his intimate acquaintance with the situation of the purchasers of Cherokee lands that he was the most proper person to be on said committee. Mr. Hayes then withdrew his application to be excused from further service on said committee.

A message was received from his Excellency, the Governor, transmitting the Report of the President and Directors of the Board of Internal Improvement, which was sent to the Senate with a proposition to print.

CONVENTION QUESTION.

The hour of 12 having arrived, the special order of the day was taken up, being the bill reported from the committee on amendments to the Constitution, in favor of Equal Suffrage. Mr. Fleming moved to postpone the special order until Wednesday next, which was not agreed to.

Mr. Rayner moved the bill to amend the Constitution of the State, introduced by him some time since, as an amendment to the bill reported by the committee.

Mr. Foster moved the bill presented by him with his minority report, as an amendment to the amendment offered above.

Mr. Foster said in substance, that the subject of amending the Constitution was one of deep interest, and he thought it his duty now to give his reasons for the plan he had proposed. As a member of the committee charged with the consideration of this subject, he had been compelled to dissent from its action, and to present his views in a minority report. This was not a party question, but one entirely above party, and he deprecated all party animosity in its discussion. This was a legislature in which party feelings should be forgotten, when all should unite as North Carolinians to promote the interest and protect the honor of North Carolina. None of the important questions before the Legislature could be made party measures.

Mr. F. went on to say that the committee presented rather a singular front. The majority had reported against all the propositions referred to them but one—that of equal suffrage; yet the Chairman was in favor of the bill he proposed, and another member of the committee besides himself had submitted a minority report. Three out of the five members actually dissented from the report of the majority. He went on to compliment the member from Craven, [Mr. Stevenson,] for his gallant defence of the North Carolina Rail Road; they united in sentiment in that, and he was sorry that he had not seen proper to sign this minority report with him.

He then proceeded to examine the question in point. First, do the people desire a change in the Constitution, and if they do, what changes do they demand? Second, in what way shall these changes be effected? He gave it as his own opinion that the people of North Carolina do desire a change of their Constution. He based his opinion upon the movements of gentlemen on this floor. Various propositions to amend the Constitution had been offered by different gentlemen of the House of Commons, and it could not be doubted that changes were desired by their constituents. Yet some doubted, and he respected that doubt. He defied any man to come to a correct conclusion from the results of party elections. He thought individuals usually adhered to their party even if they did not entirely endorse the views of a majority of that party. Isolated individuals were carried along by the majority. He had framed his bill, therefore, so as to respect the doubts of certain men. He proposed to submit it to the people whether they would have a Convention or not.

He next took up the modes in which amendments to the Constitution may be made. Two modes were available—one by legislative enactment, the other through a Convention. The advocates of the first say that it is the mode pointed out by the Constitution itself, and that it is a cheap mode. He thought it was not expedient to adopt that plan at this time, and he denied that it was the cheapest.

Mr. Foster then alluded to a certain statement made in his minority report from the committee that the people of North Carolina had never lived under a Constitution of their own making. The first Constitution was established by a Convention held in 1768, the delegates to which were chosen by electors who possessed 50 acres of land. In 1776, another Convention was held, a majority of delegates to which were monarchists. The people of North Carolina lived under this Constitution until 1835, when a *limited* Convention was held to remodel it. He asserted that the people of North Carolina never had had a Constitution of their own making. The people were sovereign, and it was a right that they should say under what kind of a Constitution they would live. If their Representatives did not allow them to exercise this right now, his word for it they would demand it in thunder tones.

He was in favor of submitting the question to the people, because it would have a tendency to stop agitation. The first dissolution he said would be the dissolution of fraternal ties between one portion of the State and another. No people would continue to respect a Constitution which every little politician makes a hobby of to ride into power on. The amendment of equal suffrage which the majority of the committee had reported in favor of, might be adopted, but the agitation would go on. Other amendments are demanded by the people. He wished to set the matter at rest forever. The people could express their opinion at the ballot box at the election in August next, without costing them a red cent.

Mr. F. went into a calculation with respect to the cost of the two modes of amendment, and asserted that it would cost three times as much to amend the Constitution by Legislative enactment as by calling a Convention. He continued by saying that he knew some sectional feeling prevailed on this question, and he feared an under-current was at work to defeat the measure he advocated. He called upon gentlemen to come up, and discuss his plan on its merits alone. The Representatives of the people here should not permit this matter to bring about a sectional collision. He scorned to occupy the position of a little faction; he believed that it was the proper way to amend the Constitution, by calling a Convention. This question was one, by the side of which party questions sink into insignificance. He deprecated all party and sectional feelings in its discussion.

Mr. Wilson then moved to divide the motion, and to take the question first on striking out. Mr. Erwin moved an adjournment, which was not agreed to. After some little conversation, between several gentlemen, the further discussion of the subject was postponed for the present, to be called up at some future day.

REPORTS FROM COMMITTEES.

Mr. Barnes, of Northampton, from the committee on the judiciary, reported the bill to amend the act making real estate assets, with an amendment, and recommended its passage. The amendment was agreed to, and the bill passed its second reading.

Mr. Eaton, from the same committee, presented a written report against the passage of the bill for the election of Clerks and Masters in Equity by the people, which was laid on the table, and the bill and report ordered to be printed.

Mr. Saunders, of Wake, from the same committee, reported against the passage of the bill requiring prosecutors to pay the costs in certain cases, &c.—On motion of Mr. Erwin the bill was laid on the table, and ordered to be printed.

Also, recommending the rejection of the bill to prevent free persons of color from owning or carrying fire arms; the bill was rejected.

Mr. Saunders stated that it was now discretionary with the County Courts to allow free negroes to use fire-arms, and the committee saw no necessity for any change in the law.

Mr. S. from the same committee, reported in favor of the bill extending the authority of the Commissioners of the town of Franklinton; the bill passed its second reading.

Also, against the bill for the relief and benefit of the Clerks of the County Courts; the bill was rejected.

Mr. Saunders, of Wake, introduced the following resolutions, which were adopted:

Resolved, That a select committee be appointed to whom shall be referred so much of the Governor's Message as relates to the subject of the Raleigh and Gaston Railroad, and other matters relative thereto.

1. That the committee be authorized to open negotiations with the old stockholders as to their liabilities to the State, and for which suits are now pending in Wake Superior Court.

2. That they further inquire as to the expediency of disposing of the said Road to said Stockholders, or to such other persons as may be disposed to contract for the same.

3. That they further inquire as to the expediency of re-organizing said Company with a capital of seven hundred thousand dollars, one moiety of which shall be owned by the State, estimating her present interest at three hundred and fifty thousand dollars—the other part to be taken in whole or in part, by the old Stockholders on condition that the State shall release from their present liabilities, all such as shall subscribe an amount equal to what they may have held in the old Company.

4. That the sum of three hundred and fifty thousand dollars thus subscribed, shall be expended in putting said road in complete order with heavy T iron, or iron equally good, and that within a reasonable time; and that the committee report by bill or otherwise.

Mr. Barnes, of Northampton, from the committee on the Judiciary, reported in favor of the passage of the bill to facilitate the collection of rents, with an amendment. The amendment was adopted, and the bill passed its second reading.

Mr. Brogden, from the committee on Claims, reported the resolution in favor of the Sheriff of Montgomery county, and recommended its passage; the resolution passed its second reading. Also, in favor of the resolution for the relief of the Clerk of the County Court of Chowan, which was read a second time.

Mr. Jones, from the committee on Propositions and Grievances, reported back to the House two memorials concerning the restoration of Robert Rogers and Stephen McMahon to the rights of citizenship, and asked to be discharged from the further consideration of the same. Report concurred in.

Also, in favor of the bill to amend the act of 1848-9, providing for the inspection of provisions with an amendment. The amendment was concurred in and the bill passed its second reading.

On motion the House then adjourned.

SENATE.

SATURDAY, December 14, 1850.

The Senate met according to adjournment.

BILLS AND RESOLUTIONS, &c.

Mr. Shepard presented the memorial of the Society of friends in Perquimans County, praying that the sale of spirituous liquors at or near Newby's Bridge Academy, be prohibited. Referred to committee on Education and Literary Fund.

Mr. Pender introduced a bill to incorporate Keystone Chapter, No. 19, in the town of Plymouth. Referred to the committee on Corporations.

On motion of Mr. Bunting,

Resolved, That the committee on the Judiciary be instructed to enquire into the practicability and expediency of so amending the law respecting the payment of debts due from insolvent estates by executors and administrators, that the fund in their hands may be applied to all such debts, *pro rata*, without reference to their dignity, and without the power in such executors and administrators by confession of assets, voluntary payment, or otherwise, to give a preference to any of such debts over others; and that said committee report by bill or otherwise.

Mr. Courts, from the committee on Claims, to whom was referred a bill relating to mills, reported the same back, and recommended its rejection.

Mr. Kelly introduced a bill to establish a new County by the name of Witherspoon. Referred to committee on Propositions and Grievances.

BANK AT WASHINGTON.

The bill to incorporate the Bank of Washington was then taken up on its second reading.

Mr. Bower suggested an amendment to the effect that the names of the stockholders be filed, at stated periods, in one of the Departments of State, so that the public might know who they were.

Mr. Washington said there was no objection to this amendment; and after some conversation between him and Mr. Bower, the bill was so amended as to provide that once in twelve months the names of the stockholders shall be filed in the Treasury Department.

Mr. Hoke suggested an amendment, providing that the officers of the Bank should not be allowed to borrow at any time from the Bank, more money than their salaries would amount to during the year. He said that experience had shown that in most of the instances in which Banks had failed, these failures were owing to the large sums borrowed from them by their officers; and he wished to guard against insolvency in this institution by some provision preventing this habit of borrowing on the part of the officers.

This amendment was opposed by Messrs. Gilmer and Joyner. Mr. Joyner was of the opinion that if any amendment of this sort was adopted, it would impede the formation of the Company, and might affect the Bank injuriously, even if it should go into operation.

Mr. Cameron thought that some provision of this sort ought to be adopted; and he suggested a modification of Mr. Hoke's motion to the effect that the Directors should be allowed to borrow no more than the amount of their stock in the Bank.

Mr. Hoke preferred that these officers should be prevented from borrowing at all from the Bank; but as he was not disposed to embarrass the friends of the measure by what they might regard as an extreme course, he was prepared to accept the modification suggested by Mr. Cameron.

Mr. Gilmer thought Mr. Hoke might let the friends of the bill manage it in their own way. The Senator from Lincoln would doubtless vote against the bill any way, and such being the case, he thought he ought not to seek to clog it by amendments.

Mr. Hoke said he reserved to himself the right, in the first place, as a Senator, to offer amendments to bills whether he was for them or against them; and in the second, if his amendments were adopted, to vote for the bills or not, just as he might decide, on their passage. He should seek, on every occasion, to make any bill which might come up for his consideration, as perfect as he could by amendments; and then, if the bill passed against his vote, he should feel that he had performed his duty in regard to it.

Mr. Joyner again addressed the Senate in opposition to the amendment. He repeated his conviction that if the amendment prevailed, the institution could not go into operation.

Mr. Eborn said the proposed Bank was needed at Washington. It would be highly beneficial to that section of country, and he hoped the bill would pass. He knew but little about such institutions, and could not tell what would be the effect of this amendment; but he would rather see the bill killed at once by an open vote, than have its efficiency destroyed by clogs and difficulties in the way of amendments.

Mr. Shepard spoke at some length in opposition to the amendment, and in favor of the bill. He concurred with the Senator from Halifax that the amendment would defeat the operation of the bill. He argued that there was no good reason for this amendment, as all the Legislature could desire in this regard was to make the holders of the notes of the Bank safe, and this was done in the most ample manner by a provision in the charter which bound the individual stockholders in double the amount of their stock for the redemption of the notes.

Mr. Washington said there was a similar provision in the charter of the Merchant's Bank at Newbern. Heavy damages were recoverable by noteholders against that Bank, in case it suspended; and the fact that that Bank had gone through every momentary crisis without suspending specie payments, was doubtless mainly attributable to this provision in its charter. He could see no reason, under the circumstances, for this amendment. He feared it would impede the operations of the Bank, and impair its usefulness.

Mr. Speight said he thought we had enough Banking capital already in the State. If this bill passed, our Banking capital would be some four millions of dollars, all together; but as it appeared to him that such an institution was needed in Washington, and as he had much confidence in the friends of the measure, who were pressing it so earnestly, he thought he should vote for it. He offered a substitute for the pending amendment, providing that the President and Directors should not borrow, at any one time, or be indebted to the institution at any one time, more than $5,000.

The substitute for the amendment was adopted.

Mr. Courts doubted the policy of increasing our Banking capital. It was now four millions—this would justify a circulation of eight millions, and this, he thought, was an abundance. Washington had already a Branch of the Cape Fear Bank, in which the State was interested; and if this Bank was established it would rival the Cape Fear institution, and, to the extent of its operations, diminish the profits of the latter, and consequently the State's revenue derived from it. This was no time to do any thing calculated to diminish the State's revenue. If the people of Washington needed an extension of Banking operations, he would vote to authorize the State Bank to establish an Agency there, and he would also vote to request the Cape Fear Bank to increase its accommodations; and if such a course on the part of these Banks promised to be profitable, he had no doubt they would adopt it. But if, from any cause, these Banks could not accommodate those who were asking for this institution, notwithstanding he doubted the propriety of increasing our Banking capital, he inclined to the opinion that he should vote for the bill.

The Speaker here announced the special order of the day, being the Preamble and Resolution of Mr. Joyner in relation to the Raleigh and Gaston Road. Mr. Joyner spoke at some length in favor of his proposition, and on his motion the Resolution was amended and *adopted*, and a select committee of five appointed to prepare a bill to carry out the object of the Resolution. The committee consists of Messrs. Joyner, Speight, Jones, Canaday, and Bynum.

On motion of Mr. Bynum, the vote of the Senate on yesterday, rejecting the Resolution providing for furnishing the halls of the two Houses, was reconsidered; and