

Disciplinary Action Against NCGA Members

This list is a select list of members who have been disciplined by the NC General Assembly.

Date	Legislator	Charge	Resolution	Notes	Constitutional Provision
11/23/1757	James Carter - Rowan County	Mishandling Funds	Expelled from House	North Carolina Colonial Records, Vol. V, pp. 846, 892-893	That the Senate and House of Commons... shall each have power to ...be judges of the qualifications and elections of their members (Sec. 10, NC Constitution of 1776
12/5/1758	Francis Brown - Currituck County	Unworthy Conduct - perjury before a House Select Committee	Expelled from House refusal to seat in 1760	North Carolina Colonial Records, Vol. V, pp. 1050-1051, 1057-58; Vol. VI, pp. 374-376, 473-474	
12/20/1770	Hermon Husbands - Orange County	Libeling Maurice Moore, Jr., for threatening the Assembly, and for initiating the revolt	Expelled from House	Dictionary of North Carolina Biography, Vol. 3, p. 243; North Carolina Colonial Records, Vol. VIII, pp. 268-270, 330-331, 471, 643, 645-646	
2/8/1779	William Gilbert - Tryon County	Intentionally defrauding the Public	Expelled from House	Dictionary of North Carolina Biography, Vol. 2, p. 296; North Carolina Colonial Records (State Records of North Carolina), Vol. XIII, pp. 703-708	
11/11/1784	Edward Clay - Caswell County	Criminal charge of petty larceny	Expelled from the House	North Carolina Colonial Records (State Records of North Carolina), Vol. XIX, pp. 776-778, 782-787; Vol. XVII p. 181	

1784	Farquahard Campbell Cumberland County	Challenge as to who won election	Expelled from Senate	State Records of North Carolina, Vol. XVII, pp. 134-135.	
11/23/1786	Benjamin Herndon's Senate seat - Wilkes County	Allegations of illegalities in election	Senate seat declared vacant	State Records of North Carolina, Vol. XVIII pp 6, 14	
12/11/1786	Benjamin McCulloch (McCulloh, McCulloch)- Halifax County	Fraud	Expelled from Senate	State Records of North Carolina, Vol. XX, pp. 408-409, 628-631	
12/1/1786	Philip Alston - Moore County	Murder indictment	Senate seat declared vacant	State Records of North Carolina, Vol. XVIII , p. 32	
12/15/1786	Henry Montfort - Warren County	Fraud	Expelled from House	State Records of North Carolina, Vol. XVIII, pp. 306-307, 322-323	
12/14/1787	John Bonds - Nash County	Having fraudulently drawn from the Commissioners of Army Accounts sundry due bills and certificates	Expelled from House	House investigation and expulsion occurred while Bonds was under multiple criminal indictments for fraud and forgery. House of Commons <u>Journal</u> , December 12, 1787, State Records of North Carolina, Vol. XVIII, pp. 109, 150, 335, 370-372; XX, pp. 170-171, 213, 233-235.	

11/11/1788	Hardy Holmes - Sullivan County	Public Indebtedness	Senate seat declared vacant, but reseeded when cleared of charges	State Records of North Carolina, Vol. XX, pp.494-495, 562	
11/13/1789	Thomas Wade - Anson County	Public Indebtedness	Senate seat declared vacant	State Records of North Carolina, Vol. XXI, p. 595	
12/2/1809	John Clary - Perquimans County	Criminal conviction of cohabitating with stepdaughter - "a crime so enormous as renders it unfit that he should be permitted to continue as member"	Resigned before resolution of expulsion could be voted upon.	Journal of the House of Commons of the State of North Carolina, 1809, pp. 10, 14, 20, 22; Dictionary of North Carolina Biography, Vol. 1 pp. 383-384	
1816	John Roberts - Carteret County	Forgery and fraud committed while an assistant paymaster during the War of 1812	Expelled from Senate?	Dictionary of North Carolina Biography, pp. 227-228; No House Journal located.	
1/2/1835	Robert Potter - Granville county	Public reports that were "highly injurious" to member's reputation and "derogatory to the dignity of this House, touching on his conduct since he took his seat as a member	Expelled from House	Engaged in a fight after a card game, during which he drew a pistol and a knife. Journal of the House of Commons, 1834, pp. 223-224. 231, 233-234 (December 29, 1834; January 1-2, 1835); Dictionary of North Carolina Biography, Vol. V., p. 133.	

8/20/1868	William Long - Casewell county	Representative elect "is banned by the 14th Article of the Constitution of the United States"	House seat declared vacant	<p>Journal record does not specify how the member was excluded under the U.S. Constitution. However, Section 3 of the 14th Amendment to the U.S. Constitution prohibits a person from holding any State or federal office if, while holding that office the person "engaged in insurrection or rebellion against the United States Constitution." Following an investigation by the Committee of Privileges and Elections brought about when Wilson Carey claimed the right to the seat. Journal of the House of Representatives of the General Assembly of the State of North Carolina at its Session of 1868, pp. 26, 205, 209-210</p>	Each House shall be judge of the qualifications and elections of its own members. (Art. II, Sec. 24, 1868 Constitution)
-----------	-----------------------------------	---	-------------------------------	--	---

1875 (1873?)	J. Williams Thorne	Advocated and promulgated a "most sacrilegious doctrine, subversive of the principles of the constitution of the State of North Carolina and of sound morality and the constitution of the United States	Expelled from the House	Record is unclear as to what the doctrine was, but a substitute resolution accused him of "denying the being of Almighty God and entertaining regious views at variance with those which should contrl the action of a representative." Journal of the House of Representatives of the General Assembly of the State of North Carolina at its Session of 1874-'75, pp. 261, 465-466, 489-490, 500-503 (p. 503; expelled February 24, 1875); Protest, pp. 518-19; related: 561, 587, 594, 647	
3/26/1880	Josiah Turner - Orange County	Disorderly Conduct	Censured, present when motion of censure is adopted; called to the Bar of the House to receive censure but leaves the House Chamber, then expelled from the House	Censure Resolution provided that "Said member from Orange has been guilty of the grossest improprieties upon the floor of this House in his disorderly, contumacious and defiant conduct, violating the rules of this House in a willfully disrespectful manner." House <u>Journal</u> , 1880 (Special Session), pp. 114-115, and pp. 117-119 (March 26, 1880)	

05/13/1996	Ken Miller - Alamance County	Conduct unbecoming and unfitting of a member of the House of Representatives (Unsolicited and in appropriate remarks of a sexual nature to a female employee, to a female lobbyist, and to a female page.)	Censured by the House	Journal of the House of Representatives of the 1995 General Assembly of the State of North Carolina, Second Session 1996, pp. 11-13.	Each house shall be judge of the qualifications and elections of its own members. (Art. II, Sec. 20, Constitution of 1971)
03/20/2008	Thomas Wright - New Hanover County	Unethical conduct unfitting and unbecoming a member of the House of Representatives	Expelled from the House	2008 Extra Session, House Resolution 2, adopted 3/20/08	Each house shall be judge of the qualifications and elections of its own members. (Art II, Sec. 20, Constitution of 1971)

Prepared by NC Legislative Library (10/14/2021)