Mr. Pool replied. Mr. Thomas supported the bill. He insisted that the Legislature had a right to establish counties without the requisite population; that counties could be created for municipal purposes, as territories were organized preparatory to becoming States.— He continued at some length, but said as he saw the Senate was tired of the question he would not trouble them with the statistics he had prepared; and he thought that if the East desired to retain her power she should act justly and liberally to the West. The question now recurred on the passage of the all its second reading and resulted in its rejection-

For the bill.—Messrs. Boyd, Brown, Davidson, pavis, Dobson, Douthitt, Edney, Gilmore, Martin, Wills, Reinhardt, Thomas and Turner-13. Against the bill. - Messrs. Ashe, Battle, Basnight,

Blount, Cherry, Cowper, Cunningham, Dilland, Donnell, Flanner, Gorrell, Guyther, Houston, limmberey, Lane, Lankford, Leach, McDonald, Mc-Dowell, Miller, Pitchford, Pool, Ramsay, Speight, Steele, Straughn, Taylor, Walkup, Ward, Whitaker and Worth- 32. COUNTY OF DOBBIN.

The bill to establish the county of Dobbin, being the special order for 11 o'clock, was now taken up Mr. Battle advocated the passage of the bill. It

proposed to erect the new county out of portions of Wake, Nash, Franklin and Johnston. He said it was the unanimous wish of the people interested, and he regretted he could not do the subject justice, but he hoped the Senate would, as he would submit facts beyond contravention. After alluding to memorials submitted, he said the question of population was beyond doubt, for the new county, if it could vote to-day, would give 900 to 1,000 votes: and the boundaries of it would not take in a man nearer than 12 miles to any courthouse. It could do no harm to the State, but would add to the value of the land and benefit it. He thought the name an admirable one, and that it should be honored by a county. He said the eight members which would represent the five counties embraced in the bill (if the proposed one were created) would represent more than the requisite population in the other House in 1872, even upon the population of 1850; and that the four counties now interested paid more taxes than any other four adjoining counties in the

Mr. Lankford opposed the bill. It would work a grievance to at least one of the counties named .-He denied the accuracy of the statement as to population. In 1850 Franklin had within a fraction of the population requisite to entitle her to two members in the Commons, and it was now proposed to take off a piece of her and keep her in that condition. The bill would injure his county to this ex-

Mr. Battle denied Franklin would have sufficient opulation in 1860 to entitle her to another memer. The people of the part of that county proposed to be taken off were in favor of the bill. Mr. Lankford had heard no complaints in Frank-

lin, and stated that no man in that county had to travel more than 18 to 20 miles to Court. Mr. Bledsoe had not heard a word from one of his constituents in faver of this bill. He had canvassed the county thoroughly, and during the canvass it was not once named. He thought it strange that the people of Wake would entrust their business

solely to the Senator from Nash (Mr. Battle,) for not one of his colleagues in the House had been spoken to in favor of the bill. He would vote against it. Mr. Leach knew of one man in his (Johnston) county in favor of the bill, and no more. The question was then taken on the passage of

the bill and determined in the negative-32 to 11, For the bill.-Messrs. Battle, Brown, Davidson, Davis, Dobson, Edney, Martin, Miller, Reinhardt,

Turner and Walkup-11.

Against the bill.—Messrs. Ashe, Basnight, Bledsee, Blount, Boyd, Cherry, Cowper, Cunningham, Dillard, Donnell, Douthitt, Flanner, Gorrell, Guyther, Houston, Humphrey, Lane, Lankford, Leach, McDonald, McDowell, Mills, Pitchford, Pool, Ramsay, Speight, Steele, Straughan, Taylor, Ward, Whitaker and Weath-32. BANK OF CAPE FEAR.

The bill to amend the charter of the Bank of Cape Fear was now put upon its second reading. The committee to whom the bill had been referr reported an amendment to the clause proposing to strike out the 17th section of the charter, by strikingout only the word "corporation," and recommended that the bill as amended do pass.

The amendment was concurred in. Mr. Brown had reported on the bill in obedience to a majority of the committee, but he could not give his assent to the amendment authorizing the bank to issue bills as low as \$3. He was opposed to small notes under all circumstances, and he regarded it as no reason why he should to it in this instance because seventeen other banks were issuing them. He believed the prohibition would benefit the banks as well as the people; and he said if he had the power he would extend the prohibition to notes much above \$5 even.

Mr. Guyther, though opposed to small notes, had assented to the bill, on committee, that this bank might be placed on an equality with others.

Mr. Bledsoe addressed the Senate in support of the views of the majority of the committee. He called attention to the 17th section of the charter which declares "That whenever the said bank hath any demands upon any person or corporation, it shall be lawful for said person or corporation to pay and discharge such demands in the notes of said bank without regard to the place where the same may be payable and demandable." It was proposed, said Mr. Bedsoe, to strike out of this section the word "corporation" wherever it occurs, and to leave the law in force as applied to individuals. The hardship to the bank was self-evident, and needed no argument. It was simply proposed to put this bank on an equality with others.

A motion to reconsider the vote adopting the amendment was rejected. Mr. Steele opposed the bill, as it gave this bank an advantage instead of putting it on a level with others, by compelling banks without branches to pay the demands of one branch in specie while having plenty of the notes of another branch on hand. Mr. Bledsoe maintained that the word "corporation" in the 17th section, placed this bank in an embarrasing position and illustrated it by supposing a case in which the principal bank of Cape Fear had a claim of \$20,000 on say the Bank of Wilmington. The Bank of Wilmington has \$30,000 of the notes of the Bank of Cape Fear-\$20,000 of which are the issues of various branches, and \$10,-

000 the issue of the principal bank. The demand is met by the Bank of Wilmington with the notes of the branches, from which the principal bank gets no relief in specie or notes payable in Wilmington; but immediately afterwards the Bank of Wilmington makes a demand on the principal Bank of Cape Fear for the redemption, in specie, of the \$10,000 payable at that point, and thereby aggravates the banks' embarrassments. And in this connection Mr. Bledsoe reminded the Senate that of the million and a half of capital of the Bank of Cape Fear, but \$200,000 was held in Wilmington-the residue being distributed among its branches, and asserted that it was unreasonable to expect the principal bank or any of its branches to meet the liabilities of the whole cor-

Mr. Brown concurred with Mr. Bledsoe. Under the existing charter the principal bank would be compelled to keep sufficiet specie on hand to meet the issues of all its branches as well as its own. It placed this bank at the mercy of others. If, however, on investigation, it worked injustice to other banks, he would oppose its adoption.

Mr. Steele denied the 17th section gave any such power to local banks as to require such a supply of specie. It merely gave power to settle claims, not to demand payment of notes.

Mr. Brown. If that be the Senator's view, why oppose the bill? There could be no reason in the

Mr. Ashe concurred in the views of Messrs. Bledsoe and Brown. The bank was required by its charter to establish branches, and it was unreasonable to expect each one of them to keep gold and silver

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to meet the issues of all the rest including the principal bank. As to small notes, he (Mr. A.) had always been and was yet a "hard money" man. He would be glad to see every bank limit its notes to

\$20. The Bank of Cape Fear would willingly acquiesee in a general law to that effect, but it objected to being discriminated against. Mr. Ashe alluded to the disadvantage this bank labored under as compared with the Bank of the State, in the deposits made by the public treasurer, who received a large amount of small notes in his settlements with sheriffs, which this bank could not receive (under \$5) because she could not pay them out. He concluded by urging the amendment as to Directors being made proxies-otherwise a large proportion of the stock in the bank would go unrepresented, it being inconvenient for stockholders at a distance to attend on all

Mr. Donnell did not understand that the principal bank was bound to receive notes of its branches. He concurred with Mr. Steele. The bank had suffered nothing under the present charter, and he would vote against the bill.

Mr. Turner said the purpose of the law was to protect the little banks which had no power to injure the big ones. If a little one did make a run, the big ones had ample means of retaliating by accumulating its notes, coming down upon it, and it would be heard of no more. The Cape Fear Bank was subject to no restrictions not placed upon the State Bank. But the State Bank refused its charter. He admitted the Bank of Cape Fear had acted better, and it would have been as well if the State Bank had pursued the same liberal policy. If the State Bank should be rechartered, he (Mr. T.) would insist upon the same restrictions, and the friends of the Cape Fear Bank should do so too. In conclusion he said the 17th section restricted the large banks-they could keep the little ones in their place.

Mr. Edney desired to understand the question. [Here the Senate became somewhat "mixed," and it appeared a hard matter to get it straight.]

Mr. Edney declared that any bank that would not receive the notes of its branches in payment of debts should not have a charter.

Mr. Lane thought Senators had got the matter in a fog, and proceeded to clear it up by a statement of the question. Every bank or branch should redeem its own issues and no other. Was in favor of Directors acting as proxies-had not a dollar in bank stock, and never expected to have. Would vote for

Messrs. Edney and Pool took exception to the report of the committee. Mr. Edney moved to re-commit the bill to enable

the committee to amend their report. Mr. Worth saw no necessity for that, but moved

to postpone its further consideration. Mr. Brown thought that if the report was not plain enough it was an easy matter for Senators to make it plainer by amendments. He saw no grounds for criticism-but Messrs. Edney and Pool might belong

- have optics keen To see what is not to be seen.

Mr. Edney. It is not unusual for gentlemen to see a matter very plainly, and totally fail to make others see it so. (Continued laughter.)

The motion to re-commit the bill prevailed. Mr. Thomas moved to re-commit his bill to incorporate the North-Carolina Central Atlantic and Pacific Railroad Company. It being a special order for to-day and the hour having been consumed, Mr. Martin moved to adjourn; Mr. Thomas de-

manded the aves and noes; Mr. Martin withdrew the motion; Mr. Turner renewed it; Mr. Thomas renewed his demand, but withdrew it, and the Senate adjourned at about 2 o'clock.

HOUSE OF COMMONS. At half-past nine oclock the House was called to

Mr. Reeves presented a memorial from nearly 1,000 citizens of the county of Surry, asking for the opening of the Yadkin river. Mr. Walker presented a memorial from certain citizens for an alteration of the law relative to slan-

Mr. Dula presented a memorial relative to the liquor traffic.

A number of reports were received from standing committees, among which were reports adverse to the establishment of new counties by the name of Bragg and Dobbin.

RESOLUTIONS. Mr. Tomlinson's resolution that no bill should be printed without the recommendation of the committee to whom it was referred, was lost by a vote of 50 to 38, two-thirds not voting in its favor.

Mr. Walker, a resolution relative to Cherokee The following new bills were read the first time and referred:

Mr. Lewis, to consolidate the offices of Clerk and Master in Equity with that of Superior Court Clerk. Ordered to be printed by a vote of 40 to 38. Mr. Dortch, to add a fourth Judge to the Superior

Mr. Speer, to abolish the freehold qualification Mr. Norwood, to incorporate the Hillsboro' Sav-

Mr. Simonton, to amend 2d sec, 37th chap. Rev.

Mr. Foy moved to reconsider the vote rejecting the bill relative to the fisheries of Onslow county. and in doing so, took occasion to repel charges made against the citizens of Onslow county by the member from Carteret, (Mr. Leffers.) He stated several facts to show that the bill was needed, and wished a

Mr. Leffers replied, and insisted on the correctness of his statements made on yesterday. He hoped the House would not pass the bill. The motion to re-consider was rejected.

CONSTABLE'S FEES. The bill increasing the fees of constables being

Mr. Dortch stated the bill gave a per centage to constables the same as that given to sheriffs. His object was, by increasing the remuneration, to get more respectable men for the office.

Messrs. Kerr, Thompson, Smith and Drake sup-Messrs, Fagg, T. R. Caldwell, Byrd and Walser opposed it. Rejected-yeas 13, nays 95.

SPECIAL ORDER. The bill to prohibit the issue of bank notes of less value than three dollars, was rejected by a vote of 76 to 31.

JUDGE RUFFIN'S ACCEPTANCE. Message received from the Senate, transmitting Judge Ruffin's acceptance of the office of Judge of the Supreme Court, which being read, was On motion of Mr. Caldwell, of Guilford, ordered to be spread upon the journals.

BILLS ON THEIR SECOND READING. The bill to restore jury trials to the County Court of Cleaveland passed its second reading, and the rules being suspended, it passed its third reading. The bill to protect purchasers under judicial sales.

The bill to prohibit the cutting of timber on the Tuckahoe and Trent rivers. Passed. The bill to incorporate the Wilmington Light In-

fantry passed its second reading, and at a later period of the day passed its third reading. The bill to amend 78th chap. Rev. Code, entitled official bonds. Passed.

The bill to amend 68th chap. Rev. Code, entitled

marriage. Passed. [This bill provides that all marriages solemnized by persons professing to be authorized to celebrate the rites of matrimony, shall be valid, if the marriage be in other respects lawful, and be consummated in the belief of the contracting parties that they are lawfully married.]

The bill requiring the day of receiving and execu-ting to be noted on justices process. Passed

The bill to make husbands liable for the debts of | their deceased wives passed. The bill to encourage the planting of oysters and

On motion of Mr. Foy, the rules were suspended, and the bill passed its third reading. The bill to authorize the erection of a toll-bridge over the Yadkin river passed.

The bill to incorporate the Newbern Light Infant-The bill to incorporate the Raleigh Gaslight Company passed.

The bill to incorporate the Atlantic Mutual Fire and Marine Insurance Company passed.

The bill to incorporate the Cherokee County Turn-

pike Company. Mr. Walker spoke in favor of the bill. Passed. The resolution in favor of H. N. Britton, of Hay-

Mr. Love explained the nature of the claim, and t passed its second reading. The private bill for the county of Franklin, after a few remarks from Mr. Green, passed.

A motion to adjourn being adopted by a vote of

52 to 44. The House then adjourned.

> FRIDAY, Dec. 17, 1858. SENATE.

The Senate met at 10 o'clock—no prayers. A message received from the House transmitting the reports of sundry corporations with a proposi-

tion to print. Concurred in, and On motion of Mr. Houston, the statements of the several companies were referred to the appropriate committees recently appointed. REPORTS OF COMMITTEES.

The following bills were reported favorably on: Mr. Houston, from the committee on the judiciary, to increase the salaries of judges, with an amend-

Mr. Brown, from the committee on banks and currency, to amend the charter of the Bank of Cape Fear, recommitted on yesterday.

Mr. Humphrey, from the committee on corporations, to incorporate the Lake Landing Canal Com-Mr. Dillard, from the same committee, to incorpo-

rate the Fairfield Canal company. Mr. Donnell, from the committee on the judiciary, to amend the 28th sec. 7th chap. Rev. Code.

Mr. Lane, from the committee on propositions and grievances, in favor of Sol. M. Ray, and Jackson Stuart; respecting the pilots of Ocracoke and Hatteras inlets, requesting to be discharged from its further consideration, which was concurred in; relative to the public roads in Buncombe, Henderson and Yancey, recommending its passages in favor of the bill to enlarge the powers of the commissioners of the town of Tarboro'; against the passage of the bill to amend the 7th clause 23rd sec. 34th chapt. Rev. Code; and against the passage of the bill to establish the county of King. Mr. Carmichael, from the committee on the judi-

ciary, in favor of the passage of the bill ceding jurisdiction to the U.S. in the purchase of a tract of land in Raleigh. Mr. Lankford, from the same committee, in favor

of the bill to alter the time for holding County Courts in Jones county. Mr. Gorrell, from the same, against the passage of the bill to amend the 30th sec. 107th chap, Rev.

Mr. Davidson, from the committee on claims, in favor of the resolutions for the relief of J. A. Vinson, H. Strader, and Donald Frazer. Mr. Steele offered a resolution instructing the committee on finance to enquire into the expediency

of repealing the tax on collateral descents. Rejected. NEW BILLS. Mr. Humphrey introduced a bill to extend the powers of the New River Navigation Company. Referred to the committee on internal improve-

Mr. Flanner, a bill to extend the corporate limits of the town of Newbern. Corporations. Mr. Ashe, a bill concerning the Wilmington and Weldon Railroad Company. Internal improvements.

Mr. Bledsoe moved that the report of the Board of internal improvements be referred to the committee on internal improvements. Adopted. ENGROSSED BILLS.

Received a message from the House transmitting number of engrossed bills which were read the first time and passed, and which will be noticed on the second reading.

Mr. Edney moved to take up the bill to amend the charter of the Western N. C. R. R. Co. Concurred in. He now offered a substitute as an amendment, and moved that it be printed and, with the bill, re-committed to the committee on internal improvements. Also concurred in.

Mr. Thomas moved to re-commit the bill to incorporate the N. C. Central Atlantic and Pacific Railroad Company. Concurred in.

BILLS ON THEIR SECOND READING. The bill to enlarge the powers of married women in certain cases was put upon its second reading. Mr. Houston moved that it be made the special order for Tuesday next at 12 o'clock. Adopted.

BANK OF CAPE FEAM. On motion of Mr. Brown, the consideration of the bill to amend the charter of the Bank of Cape Fear was resumed on its second reading. The question was on the adoption of the amendments of the committee, which will have been gathered from the dis-

cussion on this question yesterday. Mr. Steele proposed to amend the substitute by retaining the 17th section as it stands in the charter, and adding to it as follows: "And the corporation or person upon whom the demand is made shall first use the notes of the bank making the same."

Mr. McDonald was in favor of the 17th section in the charter. Mr. Brown thought the amendment of Mr. Steele would obviate the difficulty complained of by the bank as resulting from the 17th section. He thought it as fair as possible-that it would protect the small banks as well as the large ones and at the same time

protect individuals. He would support the amend-

Mr. Bledsoe would admit the amendment to be good as far as it went, but it did not cover the whole ground. He illustrated the hardship it tailed to remedy in this way: Suppose the Bank of Cape ceyville. They are presented for payment. The Yanceyville Bank has \$5,000 of the notes of the Ban of Cape Fear, which the amendment of Mr. Steele says she must first use in settling the demand. The Cape Fear Bank receives them, and then demands the other \$5,000 in specie. But instead of paying specie for these notes, a pledge for which is on the face of every one of them, the Bank of Yanceyville pays down \$5,000 of the notes of some branch of the Bank of Cape Fear.

Mr. Steele would put all banks upon an equality, without regard to whether they had branches or not. His amendment might not meet all the difficulty, but it was preferable to that of the committee. Mr. Steele continued, and read from the statement of the Bank of Cape Fear to show the ine qualities of the issues in its branches-contrasting that at Raleigh with that at Asheville, with a view to show that the issues increased in proportion to the inaccessibility of the branches. He regarded banks with branches as a nuisance. Local banks were quite as useful to the community, and transacted their business as well as their larger banks.

Mr. Bledsoe now thought the question had assumed the character of a warfare between the friends of local banks and State banks. He maintained that the amendment of Mr. Steele gave local banks the privilege of refusing to redeem their notes.

The Bank of Cape Fear had a restriction no other bank had. Her notes represented specie which could be had at her counters on demand, and she had a right to demand that the notes of all other banks should be met in like manner.

Mr. Steele said no other bank was in the same position as the Bank of Cape Four. The same rustric-

tions were imposed on the State Bank, but she had refused the charter.

Mr. Bledsoe said Mr. Steele was mistaken. The last Legislature had repealed those restrictions by an almost unanimous vote, and had given to the State Bank a charter without one of them.

Mr. Turner thought they ought to legislate to put every bank upon the same footing and without re-gard to branches. If banks chose to establish branches, let them take care of them. Mr. Ashe concurred with Mr. Bledsoe's view of Mr. Steele's amendment. It was clearly impossible

for the bank or any of its branches to redeem the notes of others. If the Senate regarded branches as useless they could say so by their votes; but if not, then they should not allow them to suffer. Mr. Leach thought the branches in no great danger as they had specie enough to protect them.

Mr. Pool opposed the bill at some length. He

concurred in Mr. Steele's amendment. If local banks were run on they had a right to defend themselves as best they could. Mr. Cherry would reserve his defence of banks with branches till the proper time.

The amendment of Mr. Steele was adopted. Mr. Pool offered an addition to Mr. Steele's amendment, as follows: "In case they have the same on hand at the time such demand is made." Adopted. Mr. Brown proposed to amend the bill by striking out of the second section "\$5" and inserting "\$10," to reserve to the Legislature, the right of prohibiting hereafter the issue of notes below that denomination. Mr. Steele opposed the amendment, which was

Mr. Donnell moved to strike out the section authorizing directors to act as proxies. Rejected. The amendments of the committee were then adopted.

The question now recurred on the passage of the bill as amended. Mr. Brown, in consideration of the bill giving au-

thority to issue \$3 bills, called for the ayes and noes. The Senate then voted -aye 38, no 5, as follows: For the bill.-Messrs. Ashe, Battle, Bledsoe, Blount, Carmichael, Cherry, Cowper, Davis, Dillard, Dobson, Douthitt, Edney, Flanner, Gorrell, Guyther, Houston, Lane, Lankford, Leach, Martin, Mc-Donald, McDowell, Miller, Mills, Pool, Ramsay, Reinhardt, Speight, Steele, Straughn, Taylor, Thomas, Turner, Walkup, Ward, Whitaker, Williams

and Worth-38. Against the bill .- Messrs. Brown, Cunningham, Davidson, Donnell and Pitchford-5. Mr. Houston moved to suspend the rules to put

the bill on its third reading. Mr. Donnell objected. On motion of Mr. Thomas, the Senate adjourned

till 10 o'clock to-morrow.

HOUSE OF COMMONS. The House was called to order a few minutes before 10 o'clock.

Mr. Fleming, from the citizens of Salisbury in favor of extending banking facilities in that town. Mr. Speer, from certain cicizens of Surry county,

relative to the opening the Yadkin river. Mr. Fagg, from certain citizens of Madison county, asking to be attached to Yancy county. Reports were received from several standing com-

Mr. Love, from committee on Internal Improvements, reported favorably on the bill for a survey of a Railroad from the French Broad river, west in the direction of the Chatanooga line.

RESOLUTIONS-FIRST READING. Mr. McCotter, in favor of J. H. Forbes and others. Mr. Cox, of Pitt, in favor of Calvin Evans, of Pitt Mr. Bryson, in favor of E. D. Davis, of Jackson

Mr. Hill, of Stokes, that the committee on corporations and currency be, and they are hereby instructed, to inquire into the condition of the Farmers' Bank of Elizabeth City, and report whether, in their opinion, that bank has violated its charter; and if so, what action this Legislature ought to pursue in order to compel the directors and stockholders to surrender their charter.

NEW BILLS. The following bills were read the first time and

Mr. Forrow, to charter Lake Landing Navigation Mr. Wallace, to facilitate the collection of debts. Mr. Meares, concerning pilots.

Mr. Clapp, to incorporate the town of High Point, Guilford county. Mr. Ward, to authorize the consolidation of certain Railroad companies. Mr. Harrington, to amend an act concerning the

Superior Court of Harnett county, Mr. Foy, to establish the fees of Clerks and Masters in Equity. Mr. Reeves obtained leave to withdraw the memorials relative to the opening of Yadkin river, to pres-

ent them to the Senate. The following bills passed their second reading: The bill to amend the act incorporating the town of Lenoir, in Caldwell county. It regulates the granting of liquor licenses.

cessity of its being passed for the benefit of the academies in the town. The bill to prevent the felling of timber in certain rivers in Rowan county

Mr. Dula spoke in favor of the bill, and the ne-

The bill to incorporate the Educational Association of N. C. The bill concerning Common Schools. It makes various regulations relative to the amount of taxes collected in each county, to the duties of superin-

tendent, &c. The Senate bill to provide for running a dividing line between North Carolina and Virginia. The bill to incorporate the Davenport Female

College. The bill to incorporate Catawba College. The Senate bill to authorize the Governor to furnish arms to Franklin School, Duplin county. The Senate bill to authorize the Governor to furnish arms to the military schools of the State. The Senate bill to amend the 6th sec. 9th chapt. Rev. Code relative to the distribution of the acts

of the General Assembly, was, On motion of Mr. Martin, amended by striking The Senate bill to amend 19th sec. 59th chap. Rev. The bill to incorporate the Lincoln Lodge 137 A.

The resolution declaring E. G. Haywood, member from Wake, disqualified to hold his seat on the floor of the House was read. Mr. McKay considered Mr. Haywood entitled to 30 days notice of the intention to contest his seat,

according to the act of Assembly. Mr. Hill, of Stokes, considered there was no contest for the seat of the member from Wake: the question was whether he was eligible or not. Mr. Smith considered the case out of the centemplation of the statute, which only related to contests between individuals, and could not affect this

Mr. Kerr thought it might be necessary to divide the resolution into two clauses. The Speaker decided against the proposition.

Mr. Haywood deemed it his duty to defend the rights of his constituents, as jealously as if he was anxious to retain his seat. He considered that he was entitled to get notice to prepare himself for trial in this as in other ordinary cases. He was indifferent to the decision of the House, but would protest against anything done contrary to law:

Mr. Smith, before discussing the main question, argued against the demand of 30 days notice, and then entered into a general argument against Mr. H.'s right to a seat in the House, and proceeded to prove that a Court of Equity was a Court of Record within the meaning of the Constitution. Mr. S. then examined the constitutional question at much | is 811, instead of 911 to formarly stated.

length, to establish the ineligibility of a person nolding an office of trust or emolument to a seat on the floor of the House. He concluded, by stating that he regretted his convictions compelled him to vote in favor of the resolution.

Mr. Haywood obtained leave to address the House, stating he came unprepared to take part in the dis-cussion. He maintained that his arguments remained, not only untouched, but unanswered, and made a condensed recapitulation of his former arguments, in a very impressive and able manner.

Mr. McKay moved to postpone further consideration of the case until the 15th of January. Reject-

ed by a vote of 93 to 11. The resolution then passed-yeas 92, nays 8, as

For the resolution .- Messrs. Baird, Blount, Bridgers, Brummell, Bryson, Bullock, Burke, Byrd, Caldwell of Burke, Caldwell of Guilford, Chambers, Clapp, Costner, Cox of Jones, Cox of Pitt, Craven, Dancy, Dickson, Dockery, Dortch, Drake, Dula, Eller, Fagg, Farrow, Ferebee, Fleming, Foy, Gaither of Davie, Gaither of Iredell, Gardner, Gatling, Green of Chatham, Green of Franklin, Hall of Rowan, Hargrove, Harrington, Henry, Hester, Hill of Stokes, Higgins, Holdsclaw, Jones of Oronge, Kerr, Kirby, Leake, Leffers, Lewis, Love, Lyon, McCotter, Mar-tin, Masten, Meares, Moore of Chatham, Moore of Martin, Morehead, Morgan, Newby, Norman, Norwood, Outlaw, Pritchard, Purdie, Ransom, Reagan, Ripley, Roney, Sanders, Scales, Shaw, Sherrill, Simonton, Simpson, Smallwood, Smith, Speer, Stanford, Stephens, Tomlinson, Thompson, Thornburg, Walker, Wallace, Walser, Ward, Whitfield, Wilson, Williams, Windley, Woodfin-92.

Against the resolution .- Messrs. Badham, Baxter, Burns, Hill of Halifax, Long, McKay, Reeves, Speight

The House then adjourned.

The Standard.

RALEIGH: SATURDAY, DEC. 18, 1858.

HOLDEN & WILSON, STATE PRINTERS, AUTHORIZED PUBLISHERS OF THE LAWS OF THE UNITED STATES.

Board of Internal Improver

Gov. Bragg, in submitting to the Legislature as President ex officio of the Board of Internal Improvements, the biennial Report of said Board, says: "A recital of the duties performed by the Board for the last two years, must satisfy the General Assembly, as they think, that they now have little discretion as to the management of our public works; and it appears to the Bard that these duties might well be discharged by the Governor alone. While saying this, however, the Board believe that the State should have an officer, with or without such a Board of Internal Improvements as we now have, possessing requisite skill to supervise and protect the interest of the State in all the companies in which she is interested, and clothed with sufficient

power to enable him to do so. The present Board of Internal Improvement have not the power, and if they had, the members thereof have not the requisite skill and knowledge of such matters to enable them to protect the interest of the State. They believe that the appointment of such an officer would save the State large amounts in the expenditures to be made, or at least would serve as a check upon extravagance or improper applications of public money; while his reports to the egislature would always furnish them with reliable information as to the construction, management, and business of all the companies in which the State is

The suggestions of the Governor are entitled to much respect and to the attentive consideration of the General Assembly; but we have thought for some time that the internal improvement interests of the State, which have become so important during the last eight years, would be better cared for and protected by a Board of Public Works consisting of three gentlemen, elected by the Legislature, or by the people, adequately salaried, and whose entire time should be given to their duties. Of course the establishment of such a Board would supersede the present Board of Internal Improvements. It would also disconnect the Governor from the public works, in case the Legislature should think it expedient to do so, leaving the appointment of Directors

and the supervision of these works to the Board proposed to be established. We make these suggestions as a citizen of the State, with all respect for the opinions of the Governor and the Legislature, and from a sincere desire to advance the improvements in existence and in progress, and to protect the State's interest therein.

E. G. HAYWOOD, Esq.—It will be seen, by the House proceedings of yesterday, that the seat of this gentleman in that body was vacated by a vote of 92 to 8. Mr. Haywood spoke briefly in defence of his right to his seat, and was replied to at length by Mr. Smith, of Hertford, who argued to show that he was not entitled. Mr. Haywood rejoined; after which Mr. McKay, of Cumberland, moved to postpone the further consideration of the subject until the 15th of next month. This motion was negatived by a large majority, and the House then voted directly on the

A "writ of election" will now issue under the hand of the Speaker, directing an election to fill the vacant seat, to be held at such time as the House may designate.

MR. CLINGMAN'S MOVEMENT TO ABBOGATE THE CLAY-TON-BULWER TREATY .- On Monday last Mr. Clingman introduced into the Senate some resolutions declaring that the abrogation of this treaty is "demanded alike by the honor and interests of the Union," and calling on the President for the correspondence between this government and the governments of Great Britain and Nicaragua on the subject. Mr. Clingman accompanied his resolutions with some remarks, which shall appear as soon as we can make room for them.

TREASURER'S REPORT.—This interesting document has been printed and laid before the two houses of the General Assembly. We have prepared some extracts from it, which will appear as soon as we can find room for them.

The Senate in Executive session on Wednesday, ratified the United States' treaties with Japan and China, and confirmed J. Glancy Jones as Minister to Austria, Mr. Preston to Spain, and Mr. Ward to China. We are indebted to Messrs. Reid, Clingman,

Craige and Ruffin, for documents; and to Hon. L

O'B. Branch for the Daily Globe for the sessionfor which they will please accept our thanks. VOTE OF MCDOWELL FOR THE RAILROAD,-We UD derstand that the majority cast in McDowell for a subscription of \$50,000 to the Western Extension

Alleghany County. We cordially concur with our friends of the Western Sentiael in the following remarks in relation to the proposed County of Alleghany. It is indeed hard that the Western people, many of whom know the State government only as it approaches them for taxes, which are expended elsewhere, and never among them except in rare instances, should be denied the privilege of erecting Court-Houses and other County buildings with their own money, so as to render the administration of justice among themselves more convenient and more tolerable than it now is. "Let justice be done, though the heavens should fall." The East has the Senate, and the West has the Commons; and surely, surely no risk can be incurred by Eastern gentlemen in allowing new Counties to be formed in the West, where the population is sufficient to justify the formation proposed. The face of the country, and the condition of the roads in many parts of the West are such as to render ten miles of travel there equal to twenty in the East. Besides, new Counties will not be entitled to members of the House until 1872, but will continue to vote as heretofore with the Counties from which they are formed. In 1872 another apportionment will have to be made, at which time, it is true, every County will be entitled to at least one member. But who can foresee what 1872 will bring

We submit these observations with all deference and respect for others, and certainly with no wish to reflect upon or offend any one. The Sentinel

"The bill proposing to establish a new County, by dividing Ashe, to be called Alleghany, has passed the House of Commons, and is in a fair way to be

carried through the Senate. We sincerely hope that this measure will meet with success. The immense scope of territory em-braced in Ashe county, the number of her population, and the almost insurmountable barriers with which her people have to contend in getting to Court, all call loudly for a division to be made, and

a new County to be established. Allen Gentry, Esq., the able and attentive Representative from Ashe, deserves great credit for the energy with which he has carried the bill through the House."

The Legislature.

On Tuesday, the two houses of the Legislature gave unmistakable evidence by their votes, that they are not satisfied with the Geological and Agricultural Survey of the State.

In the House, on Wednesday, the case of William P. Taylor, a preacher of the Gospel, and one of the sitting members from Chatham county, came up for consideration. Mr. Taylor spoke for about half an hour in defence of his right to a seat, and was followed briefly by Messrs. Kerr, Morehead, and Hall, of Warren. The House, by a large majority, confirmed Mr. Taylor in his right to his seat. This decision, it is understood, was arrived at upon the ground that Mr. Taylor, though a preacher of the Gospel, has not been, and is not now, in the language of the Constitution, "in the exercise of the pastoral function,"

See proceedings in to-day's paper, of Tuesday and Wednesday.

We are pleased to see in the City the Hon. W. W. Avery, of Burke county, late Speaker of the Senate. Mr. Avery is in excellent health, and is

warmly greeted by his numerous friends. Judge Ruffin and the Hon. D. L. Swain, Commissioners of the Sinking Fund, are also in the City .-Their Report, we learn, is expected soon. We regret to learn that Mr. Edwards, the other Commissioner, is quite indisposed at his residence in War-

Judge Ruffin has accepted the appointment of Supreme Court Judge, tendered him by the Legisla-

The Supreme Court.

Thursday, the 30th day of December. Causes will be called as follows: Jan. 3, those from the I circuit. " 10, " " V "

Will commence its winter term in this City, on

" 17. " II " 24, " " III " - IV " " 31, " Feb. 7, " VI and VII circuits.

Substance of the Charge of Judge Biggs.

Substance of part of the charge of Judge Biggs to the Grand Jury in the Circuit Court of the United States, November Term, 1858. "Every person employed in the care, custody or conveyance of the mail is required to take an oath, that he will faithfully perform all the duties required of him and abstain from anything forbidden by the laws in relation to the establishment of the post offlees and post roads within the United States. The law authorizes the Post-master General to give instructions to Post-masters relative to their duty:

and in pursuance of this authority, the Post-master

General has adopted regulations which have been sent to every Post-master in the United States. The duties of Post-master must be performed personally by the Post-master, or by a sworn assistant or assistants; and no other person is permitted to assume to perform such duties. It is forbidden that any person be employed as assistant or clerk in any post office, or as mail carrier who shall be less than 16 years old. A Post-master is not permitted to suffer any person whatever, except his duly sworn assistants and clerks, and letter carriers who have been also sworn, to have access to the letters, newspapers and packets in his office, or to whatever constitutes a part of the mail, or to the mail locks or keys. And mails should not be opened or made up within the reach of persons not authorized to handle

It is notorious that these important and necessary laws and regulations are constantly violated, particularly in the country post-offices. Many persons seem to think it useless to enforce with rigor, these salutary regulations at the small post-offices; but they forget that through these offices pass the most valuable correspondence and remittances, and there, as well as any where, these r gulations should be strictly observed. By others it is thought, that one who can read and write, what ver may be his age or character, can properly at and a post office or carry a mail. And how-often o we see the United States mail in the custody o: charge of boys to whom we would not confide the most triffing matter of business or an article of the most trivial value. From the slightest acquaintance with the country post-offices, and many of the towns, all know, that in opening and handling the mail, unauthorized persons frequently open and make up the mail, and that Post-masters discharge these important duties in the presence and within reach, and often with the assistance of persons entirely unconnected with the post-office. These things ought not so to be. The public have a right to require the utmost security the laws afford. These very censurable practices ought to be reformed. I call your attention particularly to be reformed. I can your attention particularly to the subject, and charge you, that if you have personal knowledge of any violation of these highly useful laws and regulations you should present the delinquent Post-masters, that they may be properly dealt with. Some examples ought to be made to correct, if possible, this growing evil. If citizens assume the responsibility of offices, and such as post-offices in which the public are so vitally concerned, they must understand that proper care and diligence and conformity to law, are expected and required, and that negligence so great will be visited with certain rebuke and punishment.

In this public manner I deem it proper to notify Post-masters and the public generally, of what, in my opinion, is a serious evil in the administration of the Post-office establishment; and that in this Court, when a proper case presents itself, no infraction of these regulations for the security of the mail will be tolerated in the slightest degree, but will be published with the uterest rigor."