witnesses for the King could not be found; and if

he were not indicted and tried the second term, then

he was entitled to be unconditionally discharged -

The British Act, therefore, after abrogating the

right to the privilege of the writ, proceeded to an-nul the 7th section of the act of Charles, which se-

cured a speedy trial. (Bac. Abr. Hab. Corp. B 4,

note on page 430.) It is apparent, then, that in

England the simple suspension of the privilege of the writ was wholly disconnected with the right of

trial. There are some privileges secured by the act of Charles which are distinct from those pertaining

to the writ of habeas corpus at common law; these

are secured by legislation. If the entire act, as to a class of criminals, were repealed temporarily, all these privileges would of course cease to exist, and

the common law privileges incident to the writ would alone be in force. But such repeal would

not affect the speedy trial secured by the 47th section of Magna Charta. "We will sell to no man, we will deny no man, or defer right or justice." which Lord Coke says is ever being repeated by the

King in all his courts. So the suspension of the com-

mon law writ cannot, of itself, affect this provision

of Magna Charta. It requires the authority of Par-

liament to do it, and, if omitted by Parliament, the

judges must, in the language of Sir Edward Coke

and Sir William Blackstone, the great commentators of Eiglis' law, proc.el with the trial "speedily and without delay." (2 Inst. 55—1 Bl. Com.

It is manifest that the privileges of the habeas

corpus act of Charles, as to persons arrested for crime or supposed crime, embrace all the privileges

of the writ at common law, and secure and define

others besides. The 7th section of the act does not annul the 47th section of Magna Charta, but con-

firms it; and defines to some extent, as to unbail-able crimes, what speed of trial a prisoner is entitled

to. It would not answer the purpose of suspension in England to repeal or suspend for a time the en-

tire act of Charles, for that would leave in full force and vigor the common law writ as to bailable of

fences; and the provision in Magna Charta, for speedy trial, as to those unbailable. Therefore, the

act of suspension strikes at the writ, whether exis-

moreover suspends the 7th section of the statute,

and the 47th of Magna Charts, both of which are

done by an express denial of trial. The popular name given to the legislation in England, "suspension of the act of habeas corpus," expresses not

if the constitutional power to suspend the privi-

lege of the writ was intended to confer on Congress

the entire authority possessed and exercised by the Parliament pefore the adoption of the Constitution

of 1788, the statutes passed on those occasions, must

be the expositors of the nature and extent of the

grant. These guides would, on the one hand, first,

confine the suspension to crime only—secondly, to the crimes of treason, suspicion of treason and trea-

sonable practices—and, thirdly, would require the process for arrest to be a special warrant signed by

the President or Secretary of State, naming the per

son and the offense; and, on the other hand, would

invest Congress with the power to deny a trial for

se long a time as the act might last, unless the

.If these statutes of England, however, be not the

true expositors of the nature and extent of the

power granted by the Constitution, then we must

ook to the guides afforded us elsewhere. The only

egislative guide among ourselves is found in the

which passed the Senate of the United States

in 1807. That, however, requiring both an oath and a special warrent to precede the arrest, simply

denied to the prisoner "the privilege of the writ

of habeas corpus," leaving undefined what that privilege was. There is in it, however, no prohibi-

tion against a speedy trial, as in the British acts;

yet the privilege is declared to be suspended for

the opinion of the President, Jefferson, and a very

able Senate that the privilege of the writ might be

suspended in the very language of the constitution,

without dispensing with oath or warrant, or pro-hibiting a speedy trial. There were in the bill no

details; the prisoner was to be deprived of the

privilege of the writ, which the bill substantially

ffirms he may be, and yet not lose the benefit of

a single guard of the constitution, but have the full

protection of all. If this bill was an exercise of

the granted power (and it must be taken to have

been so intended by its supporters by their using

the very language of the constitution) it tends to

define the privilege of the writ, and rejects all that

latitude of construction which would bring the

clause into conflict with other constitutional pro

visions guaranteeing personal rights. If that bill was a full exercise of the power granted (and it can

be no less, for the enactment is in the very language

of the constitution) the power can invoke no other

power to render the suspension of the writ more terrible—nor, above all, can it prostrate, for that

purpose, a distinct guard of personal freedom. It

apparent that the late act is neither English nor

American in its character, but altogether sui gen-

ris. It assumes, against the entire history of legis-

lative precedents on both sides of the water, to

suspend the privilege of the writ for other than

criminal purposes; and it dares, against the practice

In England the practice in cases of suspension

has been invariably to require a special warrant.

Rex. v. Despard, 7, T. R. 732, 4. Bl. Com. 291, n. k.

The British acts secure the privileges of the mem-

bers of Parliament, against the force of an act

which did not except the members. This makes no

exception of any one. In England a member arrest-

ed by order of the council would be entitled to have

his release at once through the writ; unless the house

should surrender him. But, under this act, the Pres-

ident or Secretary of State may annihilate the entire

Congress, or allow it, or so much of it as he may please,

to exist. Such a clause of exception is necessary

in England to secure the ancient privileges of Par-

liament, because of the Omnipotence of that body.

There is no doubt that the reason why, in the bill

of 1807, no such clause of exception was inserted.

is that the Congress deemed the members to be

protected by the constitution from arrest for other

The power to suspend the privilege of the writ,

the provision that no person should be deprived of

his liberty without due process of law, which is

declared to be a warrant issued on probable cause.

supported by oath and particularly describing the

person to be arrested; and the guaranty of a speedy

trial, are all distinct constitutional provisions, and

occupy each one the same prominence and the same

independence of each other, in the constitution. Neither of them is a proviso or a qualification to

any other-each has the same constitutional status.

Any one of them can exist without the other, and

all can exist together and in harmony. If the bill

of 1807 had become a law the vigur of none of these

provisions would have suffered the slightest impair

ment. But if any two or more of them shall be

found in conflict, who is selected to choose that

which is to be preserved, and that which is to be

An eminent Confederate Judge, Hallyburton, in

the case of Morris vs. Peyton, — , recently decided by him, seems to regard the existence of all

powers and prohibition of power contained in the

be provided by Congress for suspending the writ;

notwithstanding the mode recently adopted has no

precedent nor similitude in fact or principle, in any age of our ancestors or ourselves. A doctrine so

dangerous to written constitutions and to freedom

ought to be combated freely.

If Congress is to be the sole judge of the manner

of most effectually accomplishing the objects of sus-pension, and all constitutional restrictions on the

ction of Congress in accomplishing their object are

to be set aside, it follows from this opinion, that

the judiciary never can pronounce any provision of

an act suspending the privilege unconstitutional.—
If all trial, speedy or otherwise, be denied, it must be regarded as a legitimate incident of the power to

suspend. Not a guarantee of personal liberty will

be left superior to the will of Congress. Even Sen-

stors and Representatives, who are privileged from

arrest in all cases except treason, felony, and breach

constitution annihilated for the time, if they may nterfere in any degree with any mode which may

causes than are therein set forth.

destroyed?

of both, to arrest on general warrants.

President sooner consent to it.

half its effects.

ting at common law or regulated by statute, and

Murth-Carolina Standard

THE STAR ABOVE THE MANGER.

BY THEO. H. BILL.

One night, while lowly shepherd swains Their fleecy charge attended, A light burst o'er Judea's plains, Unutterably splendid.

Far in the dusky orient,

A star, unknown in story, Arose to flood the firmament With mere than morning glory. The clustering constellations, erst

So gloriously gleaming, Waned, when its sudden splendor burst Upon their paler beaming. And Heaven drew nearer Earth that night-

flung wide its pearly portals-Sent forth from all its realms of light Its radiant immortals: They hovered in the golden air.

Their golden censers swinging,-And woke the drowsy shepherds there With their seraphic singing. ·Yet Earth on this-her gala night

No jubilee was keeping; . She lay, unconscious of the light, In silent beauty sleeping. No more shall brightest cherubim And stateliest archangels Symphonious sing such choral hymn-Proclaim so sweet evangels:

No more appear that star at eve, Though glimpses of its glory Are seen by these who still believe The shepherd's simple story:

In Faith's clear firmament afar-To Unbelief a stranger— Forever glows the golden star That stood above the manger. Age after age may roll away,

But on Time's rapid river, The light of its celestial ray Shall never cease to quiver. Frail barges on the swelling tide Are drifting with the sges— The skies grow dark—around each bark

A howling tempest rages! Pale with affright, lost helmsmen steer, While creaking timbers shiver-The breakers roar-Grim Death is near-Oh! who may now deliver!

Light-light from the Heraldic Star Breaks brightly o'er the billow; The storm, rebuked, is fled afar, The pilgrim seeks his pillow.

Lost-lost indeed, his heart must be-His way how dark with danger, Whose hooded eye may never see The Star above the manger!

OPINION OF JUDGE PEARSON.

HABEAS CORPUS-RUSSELL VS. WHITING. [CONCLUDED.]

One who is familiar with the oppressions which receded and caused the passage of the act of 31 Ch. 2, and also with the legislation which in En gland is popularly termed the suspension of the et, since its passage up to the formation of the l'ederal Constitution, and the occasions which prosinced those suspensions, can be at no loss to conjecture why the framers of that instrument limited the power of suspension by Congress to the times of rebellion or invvasion, and why the suspension cannot be supposed to embrace any other than "criminal or supposed criminal matters." A brief reference to the disturbed times in England between the period of passing the act (1679) and 1787, and to the mode suspending it, will explain it all.—
in 1688 James II fled the kingdom without any purpose of abandoning the throne; and, though abroad, continued, he and his male issue, so long as any of them survived, to claim the crown, notwithstanding immediately after his departure it was settled on another branch of the family. The claims of the excluded family continued until -During this period of rivalry for the throne, England was subject to rebellions within, aided often by concurrent invasions from without, incited by James and his descendants. At several times the preparations for overthrowing the dynasty were formidable and alarming. On such occasions the parliament passed laws which abrogated temporarily certain rights of the subject secured to him mainly under the habens corpus act of Charles. The first was enacted in the first year of W. and M, and during their reign and that of William III. -a period of twelve years-five acts of this kind were passed. Their titles were to empower the King either to "apprehend and detain," or "to commit without bail, such persons as he shall find just cause to suspect are conspiring against the government." From thence to the close of this struggle for the throne there were passed five more acts : one in each of the years 1714-1715-1722-1744-1746. The titles of all are in the same words, and of each it is "an act to empower his majesty to secure and detain such persons as his majesty shall suspect are conspiring against his person and gocernment." The next in point of time was that of 1777, noticed in Hurd, 132, which denied the privileges of the habeas corpus act of Charles only "to persons taken in the act of high treason committed in any of the colonies or on the high seas, or in the act of piracy, or who were charged with or suspected of any of those crimes."-There are no others to be found on the British Statutes till after the adoption of the Federal Constitution. Those passed in 1794 and thence till the close of the revolutionary struggle in France, several in number, bear the same titles as those of and after 1714; two of them ofextreme dates, 1689 and 1794-are set forth as perfect samples of them

A consideration of the provisions of these acts will establish the second proposition, that the power to suspend "the privilege of the writ," carries with it no power other than simply to deny the benent of the writ and subject the party to imprisonment as its only attendent consequence.

Each of these acts was popularly termed "suspension of the habeas corpus act," (Campbell's life of Lord Mansfield, and parliamentary debates of 1794.) This was their popular name, because they denied to the accused persons arrested upon a charge of the crimes mentioned, the privilege secured by the act of Charles. But the denial of this prinilege did not constitute all that was provided by these

First, they enacted that all persons who on certain day, (usually the day of giving the royal assent to the act) should be imprisoned within the Kingdom, and all who, after that day, should be imprisoned, for high treason, suspicion of treason or treasonable practices, by warrant signed by six of the privy council or by any of the principal secretaries of State, may be detained in custody without bail or main prize until a certain day, (the day when the act was to expire.) This was a suspen sion of the privilege of the writ.

Secondly, it was enacted that no judge or justice of the peace should try such person so committed without an order signed by six of the privy council, until the day when the act expired-any law to the contrary notwithstanding. This was a degial of trial.

Thirdly, it was provided that after the day when the act should expire, all persons so imprisoned should have the benefit and advantage of the habe-

as corpus act of 81 Charles 2. .
And, lastly, it was provided that the act should not extend to the imprisoning or detaining of any member of either House of Parliament until th matter of which he might be suspected should be first communicated to the House of which he was a member, and the consent of the said Hause obtained for committment or detaining. Vide 6 vol. Stat. of the Realm, I. W. and I., ch. 7, in University Lib. Chapel Hill. King va Despard 7 T. R. 732.

Bec. Abr. Hab. Corp. note to p 730. Thus it is seen that the first provision was to deny the prisoner bail-this deprived him of the priv-

iege of the writ of habeas corpus. If the act had house not to be questioned in any other place, would lose their privilege, and become subjected to arrest for advising his peers in counsel to abandon or second from the Confederacy.

But if it were true, that the isolated power to suspend the position of the confederacy. stopped here—just where our constitution stopsthe prisoner had been left the benefit of the 7th sec-tion of the act of Charles (9th of our R. C. Ch. 55.) which allowed him to demand a trial; and frugon prayer made, on the first week of the term after his committent, to be brought to trial, he were not indicted some time in the next term after his committent, then on motion on the last day of that term he was entitled to be discharged on bail, unless the

pend the privilege of the writ, would, if unrestrained, exry with it, as incidental, the power to arrest without warrant, or oath, or probable cause, because it would be convenient, and render the exercise of the main power more efficient; yet if the exercise of such incidental power be unconditionally forbidden, without reference to any case of exception, the accepted rule of construction would separate from the principal the incidental power, and cut it off. It would allow both the power and prohibition to live and have each its separate, distinct and defi-ed existence. There are to be found in the Constitution many powers and correlative prohibitions, which may be rashly pushed into a hilict with each other; but, interpreted in a spirit of moderation and wisdom, they will be found to be, as a whole, a well organized matter of various elements, constrained, balanced, refined, and strengthened by the composi tion, and not a chaos of jarring discord. A few il lustrations will clear the Constitution from the fallacy of the opinion that the act of suspension overrides any part of the Confederate Constitution. It annuls, it is admitted, the judiciary act to some extent, as to the writ; but it leaves the Constitution

Thus by art 1, sec. 1, it is provided, "That all legislative powers delegated to Congress shall be vested in a Congress of the Confederate States."-This grant, of course, invests Congress with all the faculty of legislation, within the scope of the mat-ters submited to it, which belonged to any such body of legislators; and therefore allowed it to associate together in any form it might please many different subjects, expressed or unexpressed by the title of the act; yet afterwards by sec. 9, chap. 20, it is declared, that every law "having the force of it is declared, that every law "having the force of law shall relate to but one subject, and that shall be expressed in the title." It is certain that the isolated power of passing acts of legislation, general as it is, is constrained and limited, yet both the power and prohibition are consistent, and must be construed together. The power cannot destroy or

impair its limitation.

Again, by art 1, ec. 8, it is provided that Congress shall "have power to lay and collect taxes, du-ties, imposts and excises." This confers an unlimited power to lay taxes or duties on exports. Elsewhere, however, sec. 9, chap. 6, it is provided that " no tax or duty shall be laid on articles exported," &c., except by a vote of two thirds of both Houses .-Here again it is certain that the isolated power and its limitation are consistent, and the power must

remain straightened by the limitation.
Again, Congress is invested with the "power to raise and support armies." Suppose that in another and distinct clause it had been provided, that no person under twenty-one or over forty-five years of age should be compelled to serve in the Confederate army. And Congress is fully invested with the power "to borrow money on the credit of the Confederate States." Under this power it might borrow upon a credit of ten years; yet, suppose that elsewhere in the Constitution it had been declared that money should not be borrowed upon a longer term of credit than five years. It is certain that both the war power of levying soldiers, and the borrowing power to pay them, had been more effi-cient if unrestrained than when hampered with those limitations. But who, in the national need for soldiers or money, would think of denying that both powers were curtailed by the prohibitions? It would be truly said that both the grants and restrictions might and did well exist together, and must continue to do so.

In conclusion, I maintain that to deny the writ altogether; or to issue it, and under the plea of suspension to refuse to hear and determine the case of any citizen legally exempt from military service, can be excused only upon the ground, that any mode of suspending the privilege of the writ is constitutional and overrides the entire Constitution; and places the civil rights of the whole population of every age and sex, at the feet of the President and his army. And, in the case of an officer of the State, claimed by its sovereign power as necessary to the due aduninistration of its affairs, can be excased only upon power, by the act of suspension, to destroy the separate organization of the States; to consolidate the whole people; and to destroy every vestige of State sovereignty. Such is the legitimate, unavoidable consequence of the conduct of those judges, who

quietly sit and refuse to give relief in such cases. In the recent case of Burroughs vs. Peyton, in the Court of Appeals, of Virginia, to the argument contesting the constitutionality of the conscript law on the ground that it might be used to destroy the State government by sweeping its officers into the army, that court said, "Congress have no such power over State officers. The State governments are an essential part of our political system: for upon the separate and independent sovereignty of the States, the foundation of the Confederacy rests. All powers not delegated to the Confederate States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people thereof: and the Confederate States guarantee to each a Republican form of government.

"It is absurd to suppose that the government of the Confederate S ates can rightfully destroy the governments of the States which created it. the powers conferred on it must be understood to have been given with the limitation that in execu ting them, nothing shall be done to interfere with the independent exercise of its sovereign powers by each State. Congress can have no right, therefore to deprive a State of the services of any officer ne cessary to the action of its government. And the State itself is the sole judge as to the officers that are necessary for that purpose."

Thus spoke the judges to quiet the fears and

jealousies of the States. But of what use is a doctrine so sound and so necessary for securing the rights of the States against an unconstitutional conscription, -yes, of State officers even-if the same President who procures the law of conscription which of itself cannot effect such a purpose, whatever be its words, can at the same time procure also a suspension of the writ of habeas corpus? whereby the judges shall hold that their jurisdiction is so paralyzed as to forbid them to protect against miltary invasion the very constitutional sovereignty itself of the States? Can it be true that the power to pass a conscription law is given "with the limitation that in executing it nothing shall be done to interfere with the independent exercise of its sove-reign powers by each State," and that the power to suspend the privilege of the writ of habous corpus is free of the same limitation? And moreover, may be used to the abuse and perversion or all other powers lying under that limitation? A usurpation o monstrous cannot be perpetrated in the face of an independent judiciary, and under no circumstances, without the grossest fraud upon the States and the people.

APPENDIX

An Acr, (1689) for empowering His Majesty to apprehend and detain such persons as he shall find just cause to suspect are conspiring against the government. For the securing the peace of the kingdom in the time of imminent danger, against the stiempts and traitorous conspiracies of evil disposed persons, Be it enacted by the King and Queen's most excellent Majesty's, by and with the advice and consent of the Lord's spiritual and temporal, and the Commons in this present Parliament assembled, and by the authority of the same, that every person or persons that shall be in prison at, or upon the five and twentieth day of April, in the year of our Lord one thousand six hundred eighty and nine, or after, by warrant of their Majesty's most honorable Privey Council, signed by six of the said Privey Council, for suspicion or high treason, or treasonable practices, or by warrant signed by either of His Majesty's Secretaries of State, for such causes as aforesaid, may be detained in safe custody without bail or mainprize until the five and twentieth day of May next; and that no Judge or Justice, or Court of Justice, shall bail or try any such person or persons so committed with An Act, (1689) for empowering His Majesty to apprehend bail or try any such person or persons so committed with out order from their said Majesty's Privey Council, sign-ed by six of the said Privey Council, till the said five and wentieth day of May, any law or Statute to the contrary

twentieth day of May, any law or Statute to the contrary notwithstanding.

Provided always, that from and after the said five and twentieth day of May, the said persons so committed shall have the benefit and advantage of an act made in the one and thirtieth year of King Charles the Second, entitled, mot for the better securing the liberty of the subject, and for prevention of imprisonment beyond the seas," and also of all other laws and statutes any way relating to our providing for the liberty of the subjects of this Realm. And that this present act shall continue until the said five and twentieth day of May, and so longer.

that this present are summer to be supported to the summer twentieth day of May, and so longer.

Provided always, and be it enacted, that nothing in this act shall be construed to extend to the succest rights and act shall be construed to extend to the nucleus rights and privileges of Parliament, or to the imprisoning or detain-ing of any member of either House of Parliament, until the matter of which he stands suspected be first communi-cated to the House of which he is a member, and the cen-

of the peace, and for any speech or debate in either | sent of the said House obtained for his commitment or

detaining.

As Acr. (May 1794) to empower his Majesty to moure and detaining.

As Acr. (May 1794) to empower his Majesty to moure and detain such persons as his Majesty shall suspect are conspiring against his person and government.

Westers A traitorous and detactable conspiracy has been formed for subverting the extern glaws and Constitution, and for introducing the auteur of amerby and conjusion which has so fatally prevaled in France; therefore the better preservation of his Rajesty's shered person, and for securing the peace and the laws and liberties of this Kingdom; Be it enacted by the King's most excellent Majesty, by and with the advice and consent of the Lorda Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same. That every person or persons that are or shall be in prison within the Kingdom of Great Britain, at or upon the day on which this act shall receive his Majesty's most Honorable Privy Council, signed by aix of the said Privy Council, for high treason, suspicion of high treason, or treasonable practices, or by warrant, signed by any of his Secretaries of State, for such causes as aforesaid, may be detained in safe custody, without hall or mainprime, until the first day of February, one thousand seven hundred and ninety-five; and that no Judge or Justice of the Pesce shall bail or try any such person or persons so committed. the first day of February, one thousand seven hundred and ninety-five; and that no Judge or Justice of the Peace shall bail or try any such person or rersous so committed, without order from his said Majesty's Privy Council, signed by six of the said Privy Council, till the first day of February, our thousand seven hundred and ninety-five; any law or statute to the contrary now ithatanding.

2. Provided siways, and be it ensetted. That nothing in this act shall be construed to extend to invalidate the ancient rights and privileges of Parliament, or to the imprisonment or detaining of any member of either House of Parliament, during the sitting of Parliament, until the matter of which he stands suspected be first communicated to the House of which he is a member, and the consent of the said House obtained for his commitment or detaining.

NEW METHOD OF TILLAGE. - Spade Busbandry has been always talked about, as the perfection of til-lage; but it has been rather talked about than prac-ticed, since the idea of working any considerable area of ground by spading, was, of course, out of the question in a country where land is cheap and labor dear. For a garden patch it was very well, and quite practicable; but for field culture, altogether out of the question,

There have been various attempts to introduce machinery for digging or spading by horse or other power, but generally with indifferent success. A recent invention by O. Comstock, of Milwaukee, Wis., promises, according to accounts, to have better results. It is named "Comstock's Spader," is worked by four horses, takes a width of three feet. and performs three times as much as a plow; pul verizes the ground completely, and leaves it in a perfect condition for planting.

The Prairie Farmer gives an account of the ope-

ration of this machine, on the farm of Mr. Sullivan, Where twenty thousand acres of land are under cultivation. Two hundred sores of land have been worked with the spader, and accurate accounts have been kept to show the compartive cost of the old and new system. According to these figures a sa-ving in expense of fully one half is made by its use, leaving altogether out of the account that the soil is worked more thoroughly and capable of produ-

ding a better crop.

The figures given in the statement before us, as the expense of preparing an acre of land for corn, are so marvellously small as almost to stagger belief among Eastern men. We must, of course, take into account the nature of the soil, the large size of the fields, and the complete system on farms of the magnitude of Mr. Sullivan's which is capable of being introduced. The idea of fitting land for corn with the plow and harrow at a cost of one dollar and forty cents per sere, and of working time with the cultivator at a further cost; of fifty cents per acre, thus "laying by" a crop at a total expense of one dollar and ninety cents per acre, is quite inexplicable to Eastern corngrowers. These, however, are given as the actual cost on Mr. Sullivan's farm of twenty thousand acres under the old system .--The spader, however, is to work a revolution, since the ground is prepared at a cost of thirty four aud a half cents, and the after cultivation fifty cents, making a total for "laying by" of eighty four and a half cents per acre, or a saving over the old plan of one dollar and five and a half cents per acre,—New

A RICH SCENE.-In the Capadian House of Assembly, last week, they had quite a spirited debate on the bill to prohibit the use of hoops and crino-line, introduced by Atkins. We publish a few of ne most brilliant pa

Mr. Drummond was an ardent admirer of hoops from childhood. He was born with a love of hoops. When he was a child of tender growth he used to tumble his hoop, all unconscious of the fate that was in store for him. Later in life he swallowed a ring, which resulted in a hoop-in-cough; and even now the sight of an empty hogshead brot' tears into his eyes.

Mr. Brown complained that it was impossible now to choose a wife, since her defects were so bid by hoops, and enveloped in crinoline, that the naked-

Speaker-Order! Mr. Brown-Mr. Speaker,-Speaker-The honorable gentleman is out of Mr. Brown-Mr. Speaker, the naked-

Speaker-Hold your tongue, sir! Mr. Brown-The naked-Speaker-Upon my soul, Brown, cork up, or I'll have you arrested.

Mr. Brown-Permit me to explain, Mr. Speaker. When I said naked-Speaker-(Yelling) clear the galleries of ladies. Mr. Sergeant. Mr. Brown-In the name of seventeen graces

and fifteen muses, Mr. Speaker, let one apologize; then I only meant to say that hoops and crinoline have reached to such a rotundancy that it was impossible to arrive at the naked-

Speaker: (frantically) death and blue devil ! Stop, or I'll brain you with the mace. Consider the impropriety of-Mr. Brown : (wildly) Truth! truth! truth! na-

ked truth, was what I was going to say. Mr. Dunbar Ross understood his bonorable friend to say that people could not pass along the street without being !assaulted by highwaymen. Now surely the honorable member from Lake Ontario could not but be aware that the character of every

Mr. Talbot objected to such unparliamentary lan-Mr. Ross protested against interruption. He was going to say by such dam-Mr. J. Cameron: The honorable member should

member of the House was effected by such dam-

not swear in that dreadful manner. Mr. Ross: Wasn't doing anything of the kind: but would be tempted to do so, if not allowed to finish his sentence, but such a dam, (order, order,) a dam, (confusion) he would repeat it, by such a dam, (tremendous uproar.)

Mr. Wright stood up and moved, amidst the wildest confusion, that Mr. Ross be expelled from the House for such awful language.

Mr. Ross (black in the face) exclaimed that damaging statement was all he meant to say when he

was interrupted by a fool. Mr. Talbot: Who is a fool ?

Mr. Ross: Foolish ass. Mr. Cameron: Who's an ass? Mr. Ross: (wildly) Foolish ass-assertion of profanity.

A CARD. Ladies and Gentlemen, Citisens of Johnston County,

Friends of Sick and Wounded Soldiers : In July ast I wrote Dr. Warren, Sugeon General, in regard to the transportation, delivery, &c. of supplies for our sick and wounded soldiers in the hospitals. He assures me that all boxes, either for soldiers in hospitals or army, placed in his care by the 15th or last of each month will be placed in his care by the 15th or last of each month will be forwarded, in care of a special messenger, and delivered free of charge; and that he would be most happy in being the medium of communication between the citizens of Johnston and our noble soldiers. This is surely a matter that should interest us all, and as a few persons cannot accomplish the good that could be done by a general concert of sotion, a meeting will be held in Smjithield, on Friday, the 2d day of September, when it is hoped that a large number of ladies, as well as gentlemen, will assemble, to consult together and advise the hest means for general concert of action. Our citizens have ever been so prompt and patriotic to respond to every call upon them in behalf of our noble soldiery we make no appeal, more than simply to ask them to come out to the meeting in large numbers.

That ladies may be comfortably situated, one of the shurches of the village will be procured as the place of meeting.

August 23d, 1864.

Michael Blue, of Pulaski, Tennessee, had a ter rible attack of the blues a few days since. His wife presented him with three blues at one birthtwo girls and one boy. This beats Sampson on "big blues."

Casualties in the 48th North-Carolina.

Major C. M. Sudman comanding, in the engage-nent on the Weldon Railroad, three miles from Petersburg, August 21, 1864: Company A—Killed, privates Charles W Clay, John Stanly, David Tiepitt. Wounded, privates W H Elis, severe, shower; Geo Grisson, severely, Duscan Masgum, area, slight.

B—Killed, 3d Sergt John A Knight, Wounded, Cantilled, 3d Sergt John A Knight, Wounded, Cantilled, St. Sergt John A Knight, Wounded, Cantilled St. Sergt John A Knight, Wounded St. Sergt John A Knight St. Sergt S

Capt W C Powell, knee, slight, privates Wm Pittman, thigh, severely, Wm Mangum, John Mangum, leg, Willie Edmundson, hand and knee, severe, R. Dunn, arm.

C—Wounded, privates B B Fulford, leg severe, P McGlawhone, hip, Jas Edmondson, erus and side

very severe.

D-Wounded, Sergt W D Gladeen, log amputa ed private A J Tyson, leg severe. E-Wounded, Capt J J Crump, thigh severe private Alex Gilmore, spine severe. Killed, private John Hatch.

F-Wounded, private Wm Wairner, face.
G-Wounded, privates Jesse F Thompson, hip very severe, S N Thompson, hand, W C Adams, leg very severe. Killed, private John G Gates. H—Killed, 1st Sergt Jesse L Moffitt.

K—Wounded, private J T Furgeson, leg severe.
Total, killed 7, wounded 21.
First Sergt W R Hansell, co. D, was killed, and

private M. Satterhite, co. A and R. D. Schmidt, co. O, were slightly wounded near Petersburg in the A. S. WEBB, Adj't 44th N. C. T.

HEADQ'SS 26TH N. C. REC'T,

August 22d, 1864.

August 22d, 1864.

Mesers. Editors: Please publish the following casualties in the 28th N. C. T., Kirkland's Brigade, in the engagements yesterday near the Weldon Railroad south of Patrackers. Railroad, south of Petersburg: Field and Staff-None.

Company A, (Ashe co)—Killed: Lieut J M Duvall, shot through abdomen. Wounded: privates J.H. Turner, George Harless and Wilborn Blevius,

B, (Union co.)-Killed: B J Richardson, shell, privates T J Bloom, ball through head, M H McCrovy, shot through breast. Wounded: privates E R Richardson, mortally, C McManus, J L Church, H. J Mangum and J B Nichols.

C, (Wilkes co.)—Killed: private Jesse Souther.
D, (Wake co.)—Wounded: Wiley Carroll, badly n hand, amputated, W S McDonald.

E, (Chatham co.)—Wounded: privates W M Cueek, J D Claridy, D A Welsh. F, (Caldwell co.)—Wounded: Capt B M Tuttle, grape shot in left side.

G—(Chatham co.,) killed, Corporal J Record, shot through the head, minnie. Wounded, private A N Lineberry, flesh wound both legs, piece of

H-(Moore co.,) wounded, privates C C Denso

flesh wound left arm; A D McCollun, in knee; O C Harrison, below right hip; T J Hogan, buttocks.
I—(Caldwell co.,) wounded, Private John Stallings, right arm.

K-(Anson co.,) none. Total-6 killed; 21 wounded.

The following casualties occurred in the entrench ments near Petersburg previously
A—August 18th—Killed: Private James Long.

shell. Wounded, August 19th—C Denay, breast. K—August 19th—Private John Poplin, severe wound in left thigh. August 20th Severely, per-haps mortally wounded in head: Privates S R Barber and E Hilbreth. It is not probable that any have been captured.

Respectfully, J. R. LANE, Col. Com'g.

HEADQ'RS 4TH N. C. CAV., August 19th, 1864. }
List of cosualties in 4th N. C. Cavalry, Col. D. D. Ferrebee commanding : Co A-Wounded-2d Lt J P Kendall slightly in

eft hand; privs S Tyron in leg; B F Davis in right Co B-Wounded-Jas H Willis slightly in knee Co G-Wounded-David Stokes in hip.

-Co D-Wounded-Privs A J Bridgers in hand slightly; F McGuire in arm. Co F—Wounded—Privs H H Gills in hand; Dor-Bell in arm; E A Daughtery contu Co G-Wounded-Priv W T Moss slight contu

sion of hip.
Co H—Wounded—Priv S J Pecl severely in hip; Jos Farmer in left knee and leg; James L Ellis se verely in thigh.

Co I-Wounded-Priv Jones in back by-shell. Co K-Wounded-Priv D W Parker slightly in T. J. MOORE, Adjt.

CAMP 48TH N. C. T., Aug. 22, 1964. Editors Confederate:—On yesterday, the 21st, our brigade (Cooke's) was ordered to support Ransom's Brigade in an attack upon the enemy, who still holds, as you no doubt have siready learned, the Petersburg and Weldon Ratiread; and although we did not have to do any actual fighting, our brigade suffered considerably from abelling, in a charge we made on the Yankse lines. Below please find fact of consideration in the Rivarda. find fist of casualties in the Brigade: Fifteenth Regiment.

Serg't Major E Porter, wounded slightly in shoulder.
Company A — Wounded, Private George A Jones, severely in side; Peter H Jones, breast severe.
B — Killed, Acting Lieut W P Richardson; Wounded, Private E G Ervin, severely in side; H B Nott, slightly in

-Wounded, Sergi M Jarrald, slightly in face. C-Wounded, Serg't M Jarrald, slightly in face.
D-Wounded, Private G T Morgan, head severe.
E-Capt W H Ballard, missing. Wounded, Privates
Jno R Card, J G Clayton, B G Morton, G S Strickland
F-Wounded, Serg't S Patterson, in foot, slight; Private W B Smith, in foot slight
G-Wounded, Serg't L C Gupton, in leg, slight.
H-Wounded, Lt D S Thompson, left arm, severe; Private Wm Ray, slightly in hand.
1-Wounded, Serg't J C Bass, slight in hand; S A Harris, lost left leg; Private L Waddeli, mortally wounded, since died.

since died.

K-Serg't J B Dillard, jarred by shell. Wounded, Prix

A.—Serg I B Dillard, jarred by shell: Wounded, Frit vate David Koonee, slight in face; D S Hartly, severe in hand; W G Williams, jarred by shell; R H Brozwell (courier to Gen. Cooke.) severe in arm.

In 16th Regiment—Killed 1; Wounded 24; Missing 1;

Twenty-seventh Regiment.

Company A—Private B Ward, jarred by shell; L E Watson, shot himself in band (accidentally.)
E—Wounded, Private Sam'l Carson, slight in shoulder. F Killed, Private John Miller. G-Killed, Private S G Lockhart and E S-Faucett Wounded, Private J U Hanner, in back slightly; M Adams, Housed, Privates of Dander, in back singlets; a Adams, in foot slight; P Mebanes, in hand slight.

H.—Killed, Capt Manker. Wounded, Jno A Williams, shoulder; Serg't J H Little, in wrist slight; Privates W B-Overton, in head, severe; W H Stanson. in side slight; J Newsom, shoulder slight.

Killed in Regiment, 4; wounded, 11—total, 15.

Forty-sixth Regiment. Company B-Killed, Privates S Moss. Wounded, Private C A Wagoner, J G Edward.
E-Wounded, Corpl E Harris, severe; Private C H Grissom, severe.
F-Killed, Capt Thes Branson. Wounded, Private G.

Jerrold.
G-Wounded, Private H B Steed, in leg, J C Varner finger, EP Stinson severe.
H.—Wounded, Privates Abel Biddle, shoulder; T B Hair, shoulder and neck.

I—Wounded, Private W S Kendall, severe.

K—Wounded, P E Arney.

Killed in regiment, 1, wounded, 12—total 18.

Forty-Eighth Regiment. Company A—Wounded, private M M Howie, severe.

B—Wounded, private W A Dair, severa.

D—Wounded, private W H Bicker.

F—Wounded, private A M Neshis, severe. Missing, W

H-Wounded, privates Geo Easters, Casper Black, Juc Lambeth, severe, Michesl Hartly.
I—Missing, private E H Binsen.
Wounded 9, missing 1—total 10. BECAPITULATION.

15th regiment, killed 1, wounded 24, missing 1, 27th regiment, killed 4, wounded 11, missing none. 46th regiment, killed 1, wounded 18, missing none. 48th regiment, killed none, wounded 9, missing 1. Total, killed 6, wounded 56, missing 2. Total casual in heiorical 44. in brigade 64.

Private L D Smithdeal, Co. C, 48th regiment, died at Winder Hospital of dysentery, August 14th, 1864.

Yours truly,

DAM.

HEADQUARTERTS 28th N. C. T.

A list of casualties in the 28th N. C. T. August 19th, 1864.

Company A.—Killed, none. Wounded, Private J E Waiker. Missing, none.

C.—Killed, none. Wounded, Private J. P. Spenosr.—

Missing, none.

Missing, none.

E.—Rilled, none. Wounded, pone. Missing, Private
C T Stides.

F.—Killed, none. Wounded, Corpl J N Marler. Missing L H Speer, W A Speer and R M Resh.

H.—Killed, Private J C Holler. Wounded, Bergt M M Judy and Noah Cline.

I.—Killed, none. Wounded, none. Missing, Private J B Martin.

Angust 18th.—R.—Wounded, Private Albert Davis

August 18th.—B—Wounded, Private Albert Davis.

O-Wounded, Private William A Martin,

G-Wounded, Private W Durnam.

Becapitulation: Killed, 1, Wounded, 8, Missing, 5

R. S. FOLGER,

Adjt. 28th N. C. T. G-Wounded, Private W Durham.

NOTICE.-THE UNDERSIGNED HAVING.

at August Torm, 1864, M the Livert of Pleas & Quarter Sessions, for Wake County, qualified as Executors of the last will and testament of Elizabeth Sorrell deceased, hereby gives notice to all persons indebted to the estate of the said Testatrix, to call upon the undersigned and pay up; and to those having claims or demands against said estate, to present them within the time prescribed by law, or this notice will be pleaded in bar of their recovery.

ALVIS SORKELL, Executors.

Aug. 15, 1864.

FOR SALE .-- FOURTEEN SHARES OF Raleigh and Gaston Railroad Stock, and three shares of N. C. Railroad Stock. Apply at this office.

August 9, 1864.

CONFEDERATE TAXES. THE CONFEDERATE TAX ASSESSED FOR the CONFEDERATE TAX ASSESSED FOR the CONFEDERATE TAXES. Control of Wake, will attend at the following times and places, for the purpose of assessing the Taxes for the year 1864: At Raleigh, Thursday, Friday and Saturday.

1st, 2nd and 3rd September Banks, Monday,
Barney Jones, Tuesday,
Lushtey's & Roads, Wednesday,
Green Level, Thursday,
Morrisville, Friday,
Rushey's Monday Morrisville, Friday, Busbee's, Monday, Hood's, Tuesday, Wakefield, Wednedday, Bolesville, Thurday, Forestville, Friday, Dunnsville, Saturday, Laws', Tuesday, Oak Grove, Wednesday, G. W. Thompson's Thurs

Oak Grore, Wednesday, 21st "
G. W. Thompson's, Thursday, 22nd "
The tax payers of the county are hereby notified to attend at the times and places above stated, nearest their respective residences, and furnish to the Assessors a correct list of the following subjects of taxation, on hand, held and owned on the 17th of February, 1844:

Land, number of acres, and value in 1860. Slaves, number, sex, age, and value in 1860. Horses, mules, asses and jennets, and value in 1860. Cattle, number and value in 1860. Cotton, wool, tobacco, corn, wheat, oats, rye, buckwheat, rice, pointatoes, of all kinds, peas, ground peas, beans, flour, meal, sugar, molasses, bacon, hard, spirituous liquors, &c., on hand on the 7th of February, 1864, and not necessary for family consumption for the year 1844. The number of bushels and their value respectively, must be stated sep-

erately Household and kitchen furniture, agricultural imple Household and kitchen-furniture, agricultural implements, mechanical tools, and musical instruments, and their value in 1860. Carriages, carts, wagons, drays, &c., and value in 1860. Books, maps, paintings, pictures, stationery, &c., and value in 1840. Property of all corporations, joint stock companies and associations, gold and silver coin, gold dust, and gold or silver bullion. Amount of all solvent credits, bank bills, and all other papers issued as currency, (exclusive of non-interest bearing Confederate Treasury notes, and employed in a tared business.) Value of all moneys held abroad, and bills of exchange on foreign countries; and the value of personal or mixed prop-Value of all moneys held abroad, and bills of exchange on Value of all moneys held abroad, and bills of exchange on foreign countries; and the value of personal or mixed property not enumerated above, and not exempt from taxation.

Land. slaves, cotton or tobacco purchased since the 1st of January, 1862, must be listed at the amount paid for them.

The bacon will also be listed.

M. A BLEDSOE,

B. M. JONES,

Assessors.

HEADQUARTERS BARRINGER'S BRIGade, August 10th, 1864.—General Orders, No. 22.—
Too many members of this Brigade have been absent on various pretexts.

Conscript officers and others must be urged to have

No indulgence should be shown skulkers and cowards, while true and brave men are always at their posts.

Officers absent without leave for 80 days must be promptly reported—to be dropped from the rolls.

Enlisted men so absent must be advertised and treated as deserters.

Enlisted men so absent must be advertised and treated as deserters.

Those on sick leaves, and furloughs must send forward, in due time, the certificates of proper Boards—failing to do so, they must be reported as absent without leave.

Those permanently disabled must apply for discharges, retirement, or detail on light duty; and every facility must be extended them to get their papers through, and to secure them (when qualified) suitable places.

No pardon can be promised deserters. But it is believed that many have been misled by the unfortunate teachings of others. In such cases (no special aggravation appearing) they may be saved by a prompt return to duty. If arrested, they cannot but expect the death penalty, so recently inflicted on two of their command in this Brigade.

By command of Brig. Gen. Rupus Barringers;

By command of Brig. Gen. Rurus Barringer;
JAMES L. GAINES, Ass't. Adj't Gen August 15, 1864-

WOOL NOTICE.—QUARTERMASTER'S
Department, Raleigh, June 9, 18-4.—I am now
prepared to exchange Cotton Yarn for Wool, upon the following terms, viz:

prepared to exchange Cotton Yarn for wool, upon the following terms, viz:

One bunch of Yarn for three pounds washed Wool, and one bunch for four pounds unwashed.

Agents have been appointed to make the exchange at the following places: Oxford, Tarbow', Kinston, Oatherine Lake, Concord. Rockingham, Hendersonville, Statesville, Roxboro', Asheville, Pittsboro', Louisburg, Fayette-

ville, Roxboro', Asheville, Pittaboro', Louisburg, Fayeneville, Colerain, and at this place.

Persons shipping wool to this place will please mark on the packages who they are from, and the cotton yarn will be forwarded immediately.

I bope the people will patriotically respond to the above motion, as the wool is for clothing the N. C. Troops.

H. A. DOWD, A. Q. M., N. C. A.

July 18, 1864.

July last, a segro boy named JiM, who was bound to me at Chatham February Court, 1860. He was carried off by his mother, Mary Ann Bass, and her husband, John Bass. She has been living near Flat River, Orange Courty. The tast I heard of them they were making their way back to that locality. I will give fifty dollars for Jim, or his confinement in Jail so that I get him again; and fifty dollars more for the apprehension and delivery of the said. his confinement in Jail so that I get him again; and fifty dollars more for the apprehension and delivery of the said Mary Ann and John Bass, or twenty-five dollars for either of them. John Bass sometimes calls himself John Evans. His wife is badly cross-eyed. Any information will be thankfully received. My Postoffice is Grove, Clustem.

THOS. W. WOMBLE.

Aug. 22, 1864.

SITUATED FOUR ACRE LOT, about 15 miles west of Baleigh, on the Haywood road. It has on it a comfortable cabin, an excellent well of water, a productive garden, and some two or three hundred of the finest young truit trees cultivated in the South. For particulars, apply to S. K. JONES.

Standard Office, July 18, 1864.

GOVERNMENT OF NORTH-CAROLINA.

GOVERNMENT OF NORTH-CAROLINA.

His Excellency, Zerulon B Vance, Buncombe, Governor.
Col. David A. Barnes, Northampton, Aid.
Col. George Little, Wake,
Lt. Col. John L. Morehead, Guilford, do.
Lt. Col. John L. Morehead, Guilford, do.
Richard H Hattle, Jr., Anson, Private Secretary.
Dr. Ed Warren, Chowan, Surgeon General.
John P. H. Russ, Wake, Secretary of State.
Jonatham Worth, Randolph, Public Treasurer.
Curtis H. Brogden, Wayne, Comptroller.
Samuel F. Phillips, Orange, Auditor.
Oliver H. Perry, Wake, State Librarian.
Major General R. C. Gatlin, Lenoir, Adjutant General.
Major John Devereux, Wake, Quartermaster.
Major John Devereux, Wake, Quartermaster.
Major James Sloan, Guilford, Quartermaster.
Major James H. Foota, Asst. Adjt. General.
Lieut. Josiah Collina, Washington county, Ordnance Department.
Lieut. Lohn R. Nesthern, Wake, Asst. Adjt. General.

ieut. John B. Neathery, Wake, Ass't. Adjt. General.

Lieut. John B. Neathery, Wake, Ass't. Adjt. General.
Lieut. Thomas White, Franklin, Asst. Quartermaster.
Lieut. Isaac W. Garrett, Edgecombe, Asst. Quartermaster.
Lieut. Thaddeus McGee, Wake, Asst. Commissary.
Lieut. Charles H. Thompson, Wake, Asst. Commissary.

JUDICIAL.

Supreme Court.—Richmond M. Pearson, Yadkin, Chief
Justice; William H. Battle, Orange, and Matthias E Manly, of Craven, Judges; Sion H. Rogers, Wake, Attorney
General; Hamilton C. Jones, Rowan, Beporter; Edmund
B. Freeman, Clerk. [Meets in the city of Raleigh second
Monday in June each year. The Morganton term has been
discontinued.]

Monday in June each year. The Morganton term has been discontinued.]

Superior Courts.—Judges—Edwin G. Reade, Person; Romulus M. Saunders, Wake; Robert R. Heath, Chowan; Robt. S. French, Robeson; Jaz. W. Osborne, Mecklenburg; George Howard, Wilson; Robert B. Gilliam, Granville; Wm. M. Sbipp, Henderson.

Solicitors.—1st Circuit, Jesse J Yeates, Hertford; 2nd Circuit, Charles C. Clark, Craven; 3rd Circuit, Sion H. Rogers, Wake, Attorney General; 4th Circuit, Thomas Settle, Rockingham; 5th Circuit, Ralph Buxton, Camberland; 6th Circuit, Robert F. Armfield, Yadkin; 7th Circuit, Wm. P. Bynum; 8th Circuit, Augustus S. Merrimon, Buncombe.

Confederate States District Court.—Hon. Ass Biggs.

Bancombe.

Confederate States District Court.—Hon. Ass Biggs, Martin, Judge; Geo. V. Strong, Wayne, Attorney; W.P. Watson, Orayen, Clerk; Wesley Jones, Wake, Marshall.

Council of State.—F. B. Satterwaite, Fitt; Robert P. Dick, Guilford; Dr. James Galloway, Wilkes; L. Eldredge, Johnston; J. R. Hargrave, Anson; Jesse B. Stubbs, Martin.

Literary Boserd.—His Excellency, Gov. Vance, President Re-Officio, Rev. William E. Pell, Wake, and Professor Richard Sterling, Guilford, Dr. Wm. Sloan, Gaston, Richard B. Battle, Jr., Secretary.

Board of Internal Improvements.—His Excellency, Gov. Vance, President Ec. Officio, Wm. Eaton, Jr., of Warren, J. H. Flanner, of New Hanever, and Montford McGebes. Richard H. Battle, Jr., Secretary.

Commissioners of Sinking Fund.—Hon. Thomas Ruffin, Alamance, Hon. Weldon N. Edwards, Warren, and Hos. David L. Swain, Orange.

The University of North-Carolina is at Chapel Hill.—Hon. David L. Swain, President.

Rev. Calvin H. Wiley is Superintendent of Common Schools of the State.

Willie J Palmer, A. M., is Principal of the N. C. Institution for the Deef, Dumb and the Blind, at Raleigh.

Dr. Edward G. Fisher in Superintendent of the Insandany Laylum.