

N. C. LEGISLATURE.

Tuesday, Dec. 19. SENATE.

Mr Patterson, from the committee on internal improvements, to whom was referred a resolution proposing a surrender of the Clubfoot and Harlow Creek Canal, reported adversely thereon and asked to be discharged from the further consideration of the subject. Concurred in.

Mr Shepard, from the Select committee to whom was referred the Message of the Governor relative to the extension of the Raleigh and Gaston Railroad, to Charlotte reported a bill to incorporate the North Carolina Railroad Company, and for other purposes. Laid upon the table and ordered to be printed.

Mr Speight presented a preamble and resolution instructing the committee on the Library to inquire into the expediency of providing for a new Map of the State. Adopted.

Mr Miller introduced a bill to authorize the erection of a Male and Female Academy in or near Shelby, in Cleveland co.; which passed its first reading. Mr Smith, a bill to confer upon Courts certain powers over imprisoned Lunatics; referred to committee on the Judiciary. Mr Shepard a bill to incorporate the Trustees of Perquimans Academy; referred to committee on Education.

Mr Bower moved the reconsideration of the vote by which the bill to clear out and improve Lumber river was rejected, which was obtained; and, on motion of Mr Rowland, the bill was re-committed to the committee on internal improvements.

HOUSE OF COMMONS. Mr Hicks, from a select committee, reported against any legislative action in relation to the Irish potato, it having been ascertained by the committee that the potato was effected by the rot in other countries as much as in this. On motion of Mr Brogden, laid on the table.

Mr McMullen, a favorable report on the bill to charter the Milton Savings Bank. Also made a statement explanatory of the object of the bill. Messrs Mcbane and Satterthwaite also made a few remarks, when the bill was laid on the table for the present.

Mr Rayner reported a bill to repair the Governor's residence, and improve the lot on which it is situated, and appropriating \$1000 for the purchase of furniture; read the first time.

Mr Williamson a resolution instructing the committee on swamp lands to inquire into the expediency of draining the swamp lands in the counties of Brunswick and Columbus.

Mr Newsom, a bill to incorporate the North Carolina Blues, in the county of Wake.

Mr Stanly a resolution instructing the Speaker to inform Hon. John W. Ellis of his election as a Judge of the Superior Court.

Mr Courts rose and said that the course of the gentleman from Beaufort was unusual. It was customary when gentlemen were elected to any office, who held seats on that floor, to allow them to serve out the session, and discharge their duty to their constituents. He might refer to the gentleman himself, who two years ago had been elected Attorney General of the State, and still had retained his seat. He would also mention the fact that several gentlemen here had served as Presidential Electors. A member of the Senate, who has been elected Solicitor in his district, still holds his seat. He knew no instance in which a course had been pursued similar to that proposed by the gentleman from Beaufort in this case. It was a novel proceeding and without precedent.

Mr Stanly said he should reply with all due respect to the House and to the gentleman whom the resolution affected. He thought he had reasons as plenty as blackberries for the course he had entered upon. It was unprecedented for a Judge to have a seat on that floor. He belonged to the people of the State, who were now his constituents, rather than the people of his own county. The case of the Solicitor General, he thought, was not a case in point. His office did not commence until 12 months after his election. Mr S. then went back to the years 1808 and 1816 for precedents in support of his course. Before he had concluded his remarks, the speaker announced that the hour had arrived when the special order should be taken up.

The bill to increase the revenue of the State, being the unfinished business of yesterday, was first in order, which on motion was laid on the table.

The bill to incorporate a State Lunatic Asylum was then in order. A motion was made to lay this bill also on the table in order to allow Mr Stanly to proceed. Mr Stevenson said that the matter brought before the House by the gentleman from Beaufort, was sprung upon the democratic portion of that body, and he hoped the special order would be taken up, so as to allow reflection, and that the excited feelings of gentleman on the other side might have time to cool down.

The ayes and noes were then called for by Mr Clement, on the motion to lay on the table, which was decided in the negative—ayes 53, noes 63; and the consideration of the special order was not postponed.

The bill was then taken up, and various amendments were offered and acted upon. Some debate occurred on the motion of Mr Kelly to strike out the fifth section; the ayes and noes were called on the motion, when it was carried. The bill was then laid on the table.

A message was received from the Senate proposing to go into an election for U. S. Senator to-morrow at 12 o'clock, which was agreed to; and then the House adjourned.

Wednesday, Dec. 20. SENATE.

The following bills passed their third reading: To incorporate Lumberton Academy; and to repeal an act concerning the Wardens of the poor in the county of Lincoln.

The hour of 12 having arrived, the Senate proceeded to vote for a senator of the U. S. The following is the vote of the senate:

For Geo. E. Badger—Messrs Albright, Barnard, Bell, Daniel, Davidson, Eborn, Gilmer, Halsey, Hargrove, Joyner, Kendall, Lane, Lillington, Miller, Patterson, Rowland, Smaw, Smith, Thomas of Davidson, Thompson of Bertie, Washington, Willey, Woodfin, and Worth—24.

For Thos. L. Clingman—Messrs Speaker, Ashe, Bethel, Bower, Collins, Graham, Moye, Murchison, Speight, Spicer, Thomas of Haywood, Ward, Watson and Wooten—14.

For Walter F. Leak—Messrs Berry, Exum, and Hester—3.

For Charles Fisher—Messrs Conner and Walker—2.

For W. N. Edwards—Messrs Drake & Hawkins—2.

For Wm. B. Shepard—Messrs Rogers and Thompson of Wake—2.

Mr Faison voted for Mr McKay, and Mr Shepard for Mr Rayner.

The committee reported that there was no election; whereupon, on motion, the two Houses voted again for senator. The vote is as follows:

For Geo. E. Badger—Messrs Albright, Barnard, Bell, Daniel, Davidson, Eborn, Gilmer, Halsey, Hargrove, Joyner, Kendall, Lane, Lillington, Miller, Patterson, Rowland, Smaw, Smith, Thomas of Davidson, Thompson of Bertie, Washington, Willey, Woodfin and Worth—24.

For Thos. L. Clingman—Messrs Speaker, Ashe, Berry, Bethel, Bower, Collins, Drake, Faison, Murchison, Speight, Spicer, Thomas of Haywood, Thompson of Wake, Ward, Watson, and Wooten—16.

For Mr Edwards—Messrs Hawkins, Moye, and Rogers—3.

For Mr Leake—Messrs Exum and Hester—2.

For Mr Fisher—Messrs Conner and Walker—2.

Mr Graham voted for Mr McKay, and Mr Shepard for Mr Rayner.

The committee having reported that there was no election, the two Houses voted again for senator. The senate vote is as follows:

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For Thos. L. Clingman—Messrs Speaker, Ashe, Berry, Bethel, Bower, Collins, Drake, Exum, Murchison, Rogers, Speight, Spicer, Thomas of Haywood, Thompson of Wake, Ward, Watson, and Wooten—20.

Mr Edwards; and Mr Shepard for Mr Rayner. Mr Reich declined to vote.

Soon after the announcement of the result of the last balloting, the senate adjourned.

HOUSE OF COMMONS.

Mr J Gamble a bill to amend the act incorporating the town of Wilkesboro'. Mr Satterthwaite a bill to incorporate the Phalanx Lodge No. 31, of I. O. of O. F. in the town of Charlotte. Mr Biggs a resolution proposing a joint select committee of the two houses, to consider the propriety of altering the time of holding the elections for members of Congress, Governor, members of the Legislature, &c. Mr Hicks a bill to repeal and amend a part of the 64th section of the Revised statutes.

The speaker here announced that a message from the Senate was on the clerk's desk, which had been overlooked for a day or two, proposing that the two houses adjourn sine die on the 2nd day of January. On motion, this message was laid on the table.

Mr Newsom a resolution in favor of Messrs Hall and Kinney, which was referred to the committee on Claims. Mr Williamson a bill to drain certain Swamp Lands in the county of Columbus, and appropriating \$1,500 for that purpose. Referred to the committee on Internal Improvements.

Mr Logan a bill for the better regulation of public highways in Rutherford county. Also, a bill to amend the act incorporating the Hickory Nut Turnpike Company, in that county.

On motion of Mr Stanly, his resolution in reference to Mr Ellis was taken up.

Mr Courts said that he had remarked yesterday that this was a novel proceeding, and that he had no recollection of any case in point. To produce precedents for his course the gentleman from Beaufort had gone back to a period long before he had figured on that floor. He thought now he could take higher grounds. The records of the Legislature furnished no example of this sort. The resignation of members elected to the office of Judge, which had been cited by the gentleman from Beaufort, could not be claimed as precedents for this. Those gentlemen had resigned of their own accord; whether they had been actuated by an over nice sensibility, or whether they desired to fly from the noise and turmoil of politics on that floor, he did not know. In those cases already instanced, the resignations had been voluntarily offered; they were not called for by a resolution adopted by the Legislature. To say the least of it, the course of the gentleman from Beaufort was extremely indelicate. He asked for a single precedent of this sort; the records of the Legislature furnished none.

Mr Courts then remarked that the Hon. Richmond M. Pearson had been elected, but was not yet commissioned a Judge of the Supreme Court. The Constitution expressly provided that the appointees of the Governor should remain in office until the end of the next session of the Legislature. Judges elect to the Supreme Court bench did not take their seats until that time. Was it not probable that the framers of the Constitution had contemplated that mem-

bers on that floor might sometimes be elected to an office, and that it was their intention that the members so elected should serve out their terms in the Legislature, before they were required to accept the office tendered them? The gentleman from Beaufort, however, seemed to think that there was an urgent necessity for the presence of Judge Ellis in Salisbury. If that was true, that gentleman ought to have voted for him. He (Mr Courts,) was inclined to the opinion, however, that the gentleman from Beaufort did not care much where Judge Ellis went, provided he vacated his seat in that hall.

Mr Courts continued. He thought he could present a case in point, and go no farther back than the proceedings of the last Legislature. He could present what was literally an argumentum ad hominem. The gentleman from Beaufort two years ago occupied the Speaker's chair—the highest seat in the synogogue—until the 13th day of December, when he was elected Attorney General of the State. He continued to occupy that seat nine days longer. If he could remain there with propriety two days after his election, he could have remained there two months; the principle was the same. Then he had resigned the Speaker's chair, and continued to occupy a seat on that floor seven days longer, up to the very day on which his services were demanded in the office to which he had been elected. Why not allow the gentleman the same privilege? Why could he not remain in his services were needed in the office to which he had been elected? Yet it was a grievous sin for Mr Ellis, a lay member of that body, to retain his seat on that floor, while Mr Stanly, the high Priest of this body, had been privileged to hold his place up to the last moment. All that he desired was that the gentleman from Rowan should have the same courtesy extended to him, that had been extended to the gentleman from Beaufort. Let him perform his duty to his constituents, remain there until he was needed in the office to which he had been elected, and the Legislature would then say to him "depart in peace."

The gentleman from Beaufort blamed the Legislature on account of the election of Judge Pearson. If blame was deserved, the gentleman should recollect it belonged to his own side of the House. He (Mr C.) had voted for the Hon. Robert Strange, a man eminently qualified for the office, and whose head had been politically cut off by the Whig Legislature of 1846.

Mr Courts said he had been advised to amend the resolution now under consideration, by inserting the name of a certain Whig member. He declined doing so. That was a game he would not play at. He should let the resolution remain as it was. He wished the House to take action upon it, and asked the members to kill it.

He had one more remark to make which was personal to himself. The gentleman from Beaufort had cited his own case, when he had to give a bond for \$250,000, and he thought it was high time for him to be off to see his friends in the west.

Mr Stanly said he thought he had a good excuse for making a remark or two in reply. Why was there no precedent for this? Because there was no instance in which a Judge had held a seat on that floor. The gentleman who had preceded him had said that the resignation cited by him had been dictated by an over nice sensibility. He wished that there was a little more of that sensibility now-a-days. This was the first case of the kind, and he hoped it would be the last. Mr S. then instanced the case of Gen. Sanders, who had been appointed Commissioner by the General Government in 1834, and immediately resigned the office of Attorney General of the State, which he then held. He went on to read from the Constitution and from the Revised Statutes, the law concerning the appointment of Judges. The late Attorney General had resigned his seat in the House on the very day he was required to begin the discharge of the duties of that office. The gentleman had said that Judge Pearson had been elevated by the Whigs; it could not be said that he did it. The less said on that subject he thought the better for the gentleman from Rockingham. He thought too that his position in reference to the division of Stokes was not exactly understood. Mr S. then instanced the case of Judge Strange, who had resigned his seat on the day following his election. He inquired if this was not a precedent.

Mr Stanly inquired what the gentleman from Rockingham meant by the use of the word game.

Mr Courts interrupted Mr Stanly and said he alluded to the game of ousting members out of their seats. He had said that that was a game he should not play at.

Mr Stanly wanted to know if certain contracts were not now under consideration by his side of the House. Mr Stanly continued his remarks, alluding to various things of a political nature. He concluded by saying that he had made this movement with regret, but he had thought it his duty to make it. He was sworn to maintain the Constitution, and in carrying out the purpose he had entered upon, he was only discharging a great public trust. He desired only to do his duty to his constituents.

Mr Courts said, he should be pardoned for a remark or two. The gentleman from Beaufort had made an allusion to him, in connection with Judge Pearson's election that he did not exactly understand.

Mr Stanly said he had alluded to the rumor that the gentleman from Rockingham had desired the election of Judge Pearson.

Mr Courts said the gentleman from Beaufort had presented to the House a long indictment in reference to the election of Judge Pearson. He had indeed desired his election over that of Judge Battle, for every one knew that no one was more eminently qualified to discharge the duties of Supreme Court Judge, than that distinguished individual. As for his constituents, he thought he should be able to

set himself straight before them. If all other argument failed, he should tell them that in this he had differed with the gentleman from Beaufort, and he would vouch for it, they would say he had done right.

The case of Gen. Saunders, which the gentleman had cited, was not one in point. He had been appointed Commissioner while Attorney General of the State. Of course he could not hold both offices at the same time, and he immediately resigned the office of Attorney General.

The hour of 12 o'clock having arrived the two Houses proceeded, according to a joint order, to vote for United States senator.

The House then voted as follows:

Geo. E. Badger—Messrs Speaker, Allen, Barringer, Bean, Biggs, Blackburn, Blow, T. R. Caldwell, C. F. Caldwell, Campbell, Carmichael, Doak, Edney, Erwin, Farrow, Ferebee, J. J. Gambill, Green, Hackney, Hargrove, Hayman, Hayes, Headen, Hicks, Johnson, Koonce, J. M. Leach, Logan, Long, Mast, Miller, McCleese, McClenahan, R. I. Dowell, McIntosh, McNeill, Nicholson, Oglesby, Paine, Palmer, Peebles, Pigott, Proctor, Rayner, Russell, Satterthwaite, Scott, Skeene, Skinner, Smith, Stanly, Steel, Trull, Wadsworth, Walsler, White, Wilkins—58.

T. L. Clingman—Messrs Atkin, Ballard, Brown, Canady, Clement, Coleman, Conner, Dancy, Davis, Dickson, Foy, A. Gamble, Hamrick, Herrington, R. Jones, R. H. Jones, Keen, Love, McMullen, McNeill, Newsom, Sanders, Sheek, Shuford, Simms, Spivey, J. H. Taylor, Thigpen, J. H. White, T. H. Williams, C. W. Williams, Williamson, Wooten, Brogden—34.

Walter F. Leake—Messrs Coffield, Griggs, Hamrick, A. J. Leach, McDade, Pegram, S. J. Person, Regan, Reinhardt, Stockard—10.

Weldon N. Edwards—Messrs C. Jones, Martin, Stevenson, C. H. K. Taylor, Thornton—5.

Charles Fisher—Messrs Harrison, Stowe and J. J. Williams—3.

J. J. McKay—Messrs T. S. D. McDowell and Nixon—2.

Mr Bankerville—Mr Moseley.

Mr Swain—Mr T. J. Person.

Mr Dobbin—Mr Kelly.

When Mr Ellis's name was called, he rose and asked to be excused from voting. He went on to say that he had consulted with distinguished men in this city, and was advised as to the proper course for him to pursue.

Mr Satterthwaite, from the committee to superintend the election of United States Senator, reported that no one had received a majority of all the votes cast, and there was therefore no election.

Mr Stanly said he was tired of this business. He was willing to vote for some other man in order to effect an election. He spoke for himself alone. He had no idea of continuing in the state in which they now were. He would now move a message be sent to the senate, proposing to go forthwith into another election for U. States senator, and informing that body that the Hon. David L. Swain was in nomination.

Mr Paine said he for one would not recede from the position he had taken. He was one of those 82 who would not yield.

Mr Miller said he could not be made to vote for any other man. He stood on his reserved rights.

Mr Steele moved to go into another election.

Mr Hayes moved to adjourn; was not agreed to.

Mr Paine proposed to go into committee of the whole and discuss the difficulty existed in reference to an election. [Cries of Agreed, No, No, from different parts of the House.]

Mr S. J. Person was opposed to that motion. Every member was acquainted with the qualifications of the Candidates, and a discussion would be utterly useless. The motion was then withdrawn.

Mr Steele's motion was then carried, and the House proceeded to vote a third time as follows:

Geo. E. Badger—Messrs Speaker, Allen, Barringer, Bean, Biggs, Blackburn, T. Caldwell, D. Caldwell, Campbell, Carmichael, Doak, Edney, Erwin, Farrow, Ferebee, J. Gamble, Green, Hackney, Hargrove, Hayman, Hayes, Headen, Hicks, Johnson, Koonce, J. M. Leach, Long, Mast, Mcbane, Miller, McCleese, McClenahan, R. McDowell, McIntosh, Nichols, Nicholson, Oglesby, Paine, Palmer, Peebles, Pigott, Proctor, Rayner, Russell, Satterthwaite, Scott, Skeene, Skinner, Smith, Stanly, Trull, Wadsworth, Walsler, I. White, Wilkins, Logan, Blow, Steele, Farmer—59.

T. L. Clingman—Messrs Atkin, Ballard, Brown, Canady, Clement, Coleman, Conner, Dancy, Davis, Dickson, Foy, A. Gamble, Hamrick, Herrington, R. Jones, C. Jones, R. H. Jones, Keene, A. J. Leach, Love, Martin, McMullen, McNeill, Newsom, Nixon, Pegram, Regan, Rhineardt, Sanders, Sheek, Sherrard, Shuford, Simms, Spivey, Stockard, J. Taylor, Thigpen, J. H. White, T. Williams, C. Williams, Williamson, Wooten, Coleman, T. S. D. McDowell, Griggs, Stevenson, Brogden—47.

Mr Swain—Messrs McDade and T. Person, 2.

Mr Edwards—Messrs C. Taylor and Thornton—2.

Mr Leak—Messrs S. J. Person, and Stone—2.

Mr Fisher—Messrs Harrison and J. Williams—2.

Mr Dobbin—Mr Kelly.

Mr McKay—Mr Moseley.

Mr Farmer voted first for Mr Clingman, but afterwards changed it to Mr Badger.

Mr Griggs voted first for Mr Leak, but changed his vote to Mr Clingman, remarking that it was a bitter pill, but he thought it his duty to swallow it.

Mr T. S. D. McDowell, who had voted for Mr McKay, in the preceding ballottings, did so this time, but changed his vote to Mr Clingman, remarking that the contest was between Messrs Badger and Clingman, and to defeat the former he was willing to vote for the latter.

The committee appointed to superintend the election of the United States senator, reported that Geo. E. Badger had received a majority of all the votes cast, and he was therefore elected.

Thursday, Dec. 21, 1848. SENATE.

Mr Gilmer, from the committee to superintend the election of the United States senator, reported that the Hon. George E. Badger was duly elected.

The Chair announced a message from the House, transmitting the resignation of the Hon. Wm. H. Battle as a Judge of the Supreme Court. Also, a message from the Governor, in relation to Cherokee Lands, which was referred to the committee on Cherokee Lands.

The senate then proceeded to the special order of the day, being the bill to lay off a

Turnpike Road from Salisbury west to the line of Georgia.

A discussion ensued; when, without any final action, the Senate adjourned.

HOUSE OF COMMONS.

Mr Ferebee, from the committee appointed to wait on his Excellency Gov. Manly, reported that he would be in readiness to take the usual oaths of office on the 1st of January next.

A communication was received from Judge Battle, resigning his office of Supreme Court Judge, to take effect upon the 30th instant.

Mr Courts called up the resolution of Mr Stanly, instructing the speaker to inform Mr Ellis of his election to the Superior Court Bench, and to request his acceptance of the same.

Some conversation took place as to the disposition which should be made of the resolution, but a motion to postpone it indefinitely, was very generally agreed to, thus leaving Mr Ellis to act upon his own sense.

Mr Mebane moved to take up the bill respecting the Finances of the State—provides for the payment of the debts of the State, incurred by endorsements for the Raleigh and Gaston Railroad. Passed its second and third readings.

The hour of 12 o'clock having arrived, the special order was taken up, being the bill to establish a Hospital for the Insane.

Mr Rayner proceeded to give his views in full in favor of the bill. We shall not attempt to give a report of his eloquent remarks, as he will doubtless give them to the public.

At the conclusion he offered an amendment appropriating \$100,000 for the purpose of erecting a Hospital, and directing that a tax of 2½ cents on every \$100 worth of property, and 7½ cents poll tax, to be levied annually, to raise the sum required.

Mr Caldwell of Guilford, was opposed to the method of raising the sum—though no man, on the face of the earth, was more heartily in favor of so philanthropic an object as the erection of this Hospital. He subsequently, however, in order to avoid embarrassment of the project, withdrew his objections.

Mr Keene, of Rockingham, moved to strike out \$100,000 and insert \$50,000. Negatived.

The question then recurring upon the adoption of Mr Rayner's amendment—it was negatived; by ayes 44, noes 66.

Mr Steele moved an amendment appropriating \$50,000 out of the Public Treasury.

Mr Martin moved to amend by inserting \$25,000.

Mr Steele thought it would be best to appropriate the money out of the Treasury. He wanted the work to go ahead. He was willing to assume any responsibility.

Messrs Headen and Moseley also made a few remarks in favor of the establishment of an Insane Hospital.

The speaker laid before the House a communication from the Hon. John W. Commons from Rowan, and signifying his acceptance of the office of a Judge of the Superior Court, which had been bestowed upon him by the Legislature.

On motion of Mr Barringer, the speaker was directed to issue a writ of election to the sheriff of Rowan, to hold an election for a member of the House of Commons, to fill the vacancy occasioned by the resignation of the Hon. John W. Ellis.

Friday, Dec. 22. SENATE.

Mr Halsey introduced a resolution providing that the speakers of the two Houses inform Hon. Geo. E. Badger of his election as U. S. senator.

Mr Berry offered a preamble and resolution calling upon the public Treasurer for information relative to the liabilities of the State, for works of internal improvement, from 1817 to the present time.

Mr Halsey moved an amendment, being a proviso, that the information can be obtained before the close of the present session. Carried. The resolution as amended, was then adopted, yeas 33, noes 4.

Mr Gilmer presented a bill for the emancipation of a slave in Guilford. Referred to the committee on propositions and grievances.

Mr Halsey, a bill to amend the 4th sec. 10th chap. Rev. Statutes, relating to Bail. Referred to committee on Judiciary.

The Chair announced a message from the House, transmitting a Report from the public Treasurer, in relation to the school fund.

Also, a communication from the Governor, transmitting a Report of the Board of Trustees of the University.

Mr Smith, from the Library committee, asked to be discharged from the further consideration of the resolution in relation to a Map of the State. Referred to committee on Geographical survey.

Mr Woodfin from the Judiciary committee, to whom was referred the bill to confer on the Courts certain power with regard to Lunatics, reported the same, and recommended its passage.

Mr Rogers presented a bill to indemnify owners of slaves convicted of felony. Bills passed their 3d reading: To amend the laws regulating the inspection of turpentine. To lay off and establish a new County by the name of Watauga. [On this bill Mr Smith called for the ayes and noes; they were taken as follows: ayes 30, noes 15. The bill passed.]

Mr Halsey called up the bill for the relief of Executors & administrators; which was amended and passed its third reading to whom was referred the memorial of the Wilmington and Raleigh Railroad Company, reported a bill; ordered to lie upon the table and be printed.

Mr Lillington proposed to send a message to the House, proposing that the two Houses adjourn from Saturday to Tuesday; which was agreed to.

HOUSE OF COMMONS.

The following bills were introduced and passed their first reading, viz: By Mr

Dobbin, to incorporate a Plank Road Company between Fayetteville and Salisbury; ordered to be printed. By Mr Nichols, amendatory of the law concerning Patrols. By Mr McMullen, instructing the committee on Finance to inquire into the expediency of increasing the tax on Retailers of spirituous liquors. By Mr Caldwell of Guilford, a resolution giving escheated property to the Literary Fund, instead of the University. By Mr Coffield, exempting Volunteers from military duty; referred to military committee.

The speaker announced the arrival of the hour for taking up the order of the day, viz: the establishment of an Asylum for the Insane, when Mr Dobbin moved to amend the bill by inserting 1½ cents on every \$100 worth of property, and 5½ cents on every Poll, for four years, leaving the County Courts the liberty to reduce the poor tax, if found onerous.

Mr Dobbin then went into a most able and eloquent defence of the bill and its objects; at the close of which, the amendment proposed by him was adopted, and the bill passed its 2d reading—ayes 101, noes 10.

Mr Stanly then moved the suspension of the rules in order that the bill might be put upon its 3d reading; which was carried, and it passed its third reading—ayes 91, noes 9.

Saturday, Dec. 23. SENATE.

Mr Patterson reported a bill instructing the committee on Finance to inquire into the expediency of increasing the tax for licenses to retail spirituous liquors.

A bill to provide for the settlement of estates in the hands of executors and administrators, and for the relief of the same, was laid over.

The bills to incorporate Achore Lodge, No. 14. I. O. O. F. To incorporate the town of Wilson in Edgecombe; were read second time and passed.

HOUSE OF COMMONS.

Mr J. Gamble presented a memorial from citizens of Wilkes county, praying the appropriation of \$1000 to lay off a public road from Wilkesboro to intersect with the State road leading from Jonesville to John Woodruff's in Ashe county; referred to committee on internal improvements.

Mr McCleese introduced a bill to amend an act passed at the last session of the General Assembly, entitled "an act to provide for the apprehension of runaway slaves in the great Dismal Swamp and for other purposes," and to extend the same, which was read the 1st time, and referred, on motion, to a select committee of three from the counties of Beaufort, Hyde, and Washington. Messrs Stanly, Farrow & Nichols were appointed said committee.

Mr S. J. Person introduced a bill to incorporate a Mutual Life Insurance Company; referred to committee on private bills.

Mr Cherry reported unfavorably on the bill for the better regulation of common schools.

Mr Mebane presented the Report of Wm. B. Thompson Esq. Engineer upon the Cape Fear and Deep Rivers; which on his motion was ordered to be printed.

A RAFT OF MONKEYS.—A singular and almost touching drama was lately observed by the crew of a French sloop of war, recently returned from a voyage to the seas of India. A dozen monkeys had been put on board and tied on deck, where they delighted the old tars from morning till night with their frolics and gambols. Some, however, discontented with the short space allotted to them, broke their chains, invaded the captain's cabin, jumped over chairs and tables, spilt the ink on official documents and behaved in such an inconsiderate manner that their death was resolved upon and the warrant signed on the spot. The order to throw the poor innocent victims overboard was received with general sadness on the forward deck. The old sailors, after a long consultation, came to the conclusion that a raft might be built upon which the poor creatures might at least find one chance of salvation. All hands were soon at work and the raft