

By Mr. Ellison, a resolution concerning side-walks of the city of Raleigh.

Senate resolution that all bills of incorporation be referred to the Committee on Corporations, who shall examine and report if the acts sought cannot be attained under the General Incorporation Act, was laid on the table.

On motion of Mr. Dudley the rules were suspended, and a bill to change the name of the Holden Hook and Ladder Company of New Bern, to the Mechanics Hook and Ladder Company, passed second and third readings.

A substitute offered by the Committee on Propositions and Grievances, was withdrawn. The bill passed second and third readings.

HOUSE BILL TO AMEND THE SCHOOL LAW, BEING SPECIAL ORDER, was taken up.

Mr. Dula moved to postpone the bill until to-morrow at 10 a. m. Lost.

The bill was read and considered by sections. Pending its consideration, the House adjourned.

SENATE. THIRTY-FIFTH DAY. THURSDAY, JAN. 23, 1873.

Senator Merrimon presented two petitions from the citizens of Buncombe county, both in regard to the sale of the Eastern Division of the Western N. C. Railroad. Referred.

Senator Ellis of Columbus, a petition from the citizens of Columbus county, praying for the sale of the land of the late of spirituous liquors within two miles of Cherry Stone church, in said county. Referred.

Senator Price, a petition from the citizens of Davie and Davidson counties, praying for a public road across the North Fork of the River near Bon's Ford. Referred.

REPORTS OF COMMITTEES. Reports from standing committees were submitted by Senators Cunningham, Allen, Murray, Seymour, Love, Gudger, Troy and Price.

On motion of Senator Merrimon, Senator Cowles was granted leave of absence from to-day until Tuesday next.

On motion of Senator Allen the bill relating to amnesty and pardon was made special order for 12 m. to-day.

On motion of Senator Love, the rules were suspended and the bill granting general relief to sheriffs and tax collectors—being a substitute for a bill in favor of Simon Godwin, tax collector of Johnston county—was taken up.

[This bill grants to sheriffs and tax collectors a limited time to collect a certain amount of taxes which they advanced.]

Much debate was had on this bill, participated in pro and con by Senators Love, Dunham, Merrimon, Gudger, Norwood, Stillely and Harris.

The Senate refused to strike out the year 1869, and the bill passed its third reading by a vote of 28 to 7.

SPECIAL ORDER. The bill entitled "amnesty and pardon" with a substitute for same, offered by the judiciary committee, was taken up.

Senator Allen explained the substitute as a trimming down of the original bill, and said it was offered as a peace offering, for the purpose of restoring peace and quiet to the troubled waters, and that the substitute would be adopted.

Senator Seymour said the bill was one of great importance, and favored the adoption of the substitute.

The substitute was then adopted. [This bill grants general pardon to all the members of the Ku Klux, White Brotherhood, Invisible Empire, Union Leagues, &c.]

Senator Seymour took the floor and led off in an able speech. He said he concurred in the preamble and believed in the policy of mercy and forgiveness, and that the principle the framers of the bill had in view, but for several reasons he would not vote for the bill, and was not prepared to state what kind of bill he came upon his feet, but by surprise; but thought if any members of the Red Stripes, White Brotherhood, Jayhawkers, Kuklux Klans or any other secret societies had committed any crime, they should be punished by law.

The Republican party did not for these organizations, for they had been crushed to rise no more. He favored postponement for the present.

Senator Morehead, of Guilford, followed Senator Seymour in an able and firm speech. He said he was pleased with the remarks of his brother Senator, and said when the history of this General Assembly was written, it would be pronounced as the best one that had assembled in the Southern States since the lamentable war—not that it contained more wisdom and intelligence, but for the friendly manner in which the two parties sat together—a stranger could not tell whether there was one or two parties here. He said after all great revolutions, acts of oblivion and amnesty were passed, and cited examples of such, and thought to pass this bill would be the winding up of the war. He thought every act committed during the war was wrong, but in the manner and manner in which these acts were committed, and amnesty and pardon were ever right, it was right in this case. It was true the resolutions taken in this bill, by the organizations were entirely broken up, and to pass this act it would take away a good deal of the rancor and bitterness of the parties, and vote for it with regard to party.

Senator Harris next spoke in a forcible manner, and said his position was well known as a general amnesty man. He thought if any one should be in the prison walls it ought to be the organizers of these military societies. He paid a compliment to Mr. Morehead and members of the Assembly, and regretted that the bill was introduced in its present shape. He thought the Union Leagues were an embodiment of loyalty to this country, while the

other societies mentioned were an embodiment of disloyalty and crime. He hoped the matter would be postponed for the present.

On motion of Senator Merrimon, the bill was ordered to be printed and made a special order for Saturday, 12 m.

MESSAGE. A message was received from the House transmitting several bills and resolutions, which were referred or otherwise disposed of.

Senator Allen moved that the Senate recede from its former action in approving of the action of the Committee in relation to the Keeper of the Capitol.

Senator Welch objected on the ground that the same motion was refused in regard to the printing committee.

After much discussion, the whole matter was laid on the table on motion of Senator Avera.

BILLS INTRODUCED. Senator Ellis of Columbus, a bill to change the county line between the counties of Bladen and Brunswick. Referred.

Senator Powell, a bill to incorporate the North Carolina Street Rail Company. Referred.

Senator Respass, a bill to repeal an act authorizing the Albemarle Swampy to build a Railroad, and enact an act amendatory thereto. Referred.

Senator Price, a bill concerning clerks of Superior Courts. Referred.

Senator Respass, a bill to prevent the sale of intoxicating liquors within the county of Goose Creek, Beaufort county. Referred.

Senator Respass, a bill to authorize and empower the county commissioners of Washington county, to convey land to Trustees of the colored Methodist Church in the town of Washington. Referred.

Senator Mabson, a bill to regulate the sale of fur. Referred.

Senator Ellis of Columbus, a bill to change the county line between the counties of Bladen and Brunswick. Referred.

Senator Troy, a bill to prevent the sale of liquor within three miles of Cumberland Union Church. Referred.

On motion of Senator Avera, the Senate adjourned until 11 o'clock to-morrow.

HOUSE OF REPRESENTATIVES. THIRTY-FIFTH DAY. THURSDAY, JAN. 23, 1873.

Mr. Hinnant was allowed to record his vote in the affirmative on the bill to repeal Usury law.

Leave of absence was granted Mr. Williamson for two days.

Mr. Guyther was announced as being sick.

PETITIONS. By Mr. Brown, of Mecklenburg, praying the repeal of the fence law.

By Mr. Gudger, praying that the Legislature should not form a new county out of portions of Haywood and Madison.

By Mr. McNeill, praying the passage of a law prohibiting the sale of liquor near Mt. Horeb church.

By Mr. Gray, praying the levy of a special tax on the sale of goods by suspicious persons.

By Mr. Michael, a resolution requesting our Representatives and Senators in Congress to use their influence against the repeal of the Bankrupt law.

By Mr. Anderson, of Clay, a resolution of instruction to the Judiciary Committee relative to the sale of goods by suspicious persons.

By Mr. Jones, of Orange, a resolution to appoint a joint committee of five to carry up an appeal in the case of the mortgage of the W. N. C. Railroad.

By Mr. Badger, a resolution that the joint select committee to investigate the management of the Penitentiary hold their sessions with open doors.

BILLS. By Mr. Hughes, a bill to incorporate the Trustees of Oxford Educational Society, of Granville county.

By Mr. Jones, of Camden, a bill to provide for the more prompt execution of civil process in Justices' Courts.

By Mr. Sharp, a bill to declare Chinapin and Wicochon creeks a public nuisance.

By Mr. Scott, a bill to protect the Navigation of White Oak and Trent Rivers in Jones county.

tax shall be levied on all property, credits and polls of the county, and in the assessment of the amount upon each, the commissioners shall observe the constitutional provision of taxation; Provided, That the question of the levy and collection of said tax shall have first been submitted to the vote of the qualified voters of the county at an election to be held on the different election precincts of the county, under rules and regulations to be fixed by the commissioners, and conforming as near as may be to the rules and regulations for conducting other elections, except that no new registration need be made, but the registration books of the next preceding general election may be used. The penalties for illegal and fraudulent voting shall be the same as provided in general elections.

Mr. Blythe favored the recommendation to insert.

Mr. Badger moved to strike out the proviso of the section, and made an elaborate speech on the subject of education. He took the ground that the proviso of section 25, of the bill as reported by the Committee should be made, but the strike out, and that it would be made mandatory on the county Commissioners to levy a special tax in addition to that levied by the State, for the purpose of maintaining free public schools for at least four months in each year, and for twelve months, if necessary, to give every child in the State a liberal Education.

Mr. Badger said that he had pledged himself on every stump in Wake county to use every exertion to secure for the people free public schools for all the children of the State. He desired to make that pledge good by having the proviso stricken out, and compel the Commissioners to levy a sufficient tax to maintain a school in every District, and thus place the means of Education within the reach of every child.

By Mr. Brown, of Mecklenburg, offering the following substitute for section 25, as recommended by the Committee.

Sec. 25. That there shall be no levies of taxes made by the Board of Commissioners of the several counties for school purposes, beyond the amounts levied by the State; except such as may be indispensable to keep the schools in operation for four months in each school district.

Mr. Bennett said, there was now in the hands of the County Treasurers \$400 belonging to the school fund; that this department was the right of the government; that in the face of this fact, Mr. Jones, that Jones, the present member, should oppose, by every honorable means, the attempt to authorize the commissioners of counties to levy special taxes for educational purposes.

Mr. Bowman opposed insertion of section 25, as recommended by the Committee, on the ground that the whole matter is covered by the provisions of the Constitution.

The motion to strike out the proviso of section 25, was carried.

On motion of Mr. Bryan, of Alleghany, the House voted on the Committee of the Whole, Mr. Jones, of Caldwell, in the chair.

Mr. Hughes moved to strike out the word "townships" in line 62, of section 25, and insert "school districts." Adopted.

Mr. Badger moved to insert in line 64 after the word "sheriff" the words "and his agents."

Mr. Badger moved to amend the amendment offered by Mr. Badger, the Committee of the Whole, and reported progress, and asked leave to sit again.

By Mr. Jones, of Caldwell, a bill to repeal chapter 139, laws 1871-'72, and a bill to authorize the Commissioners of Caldwell to levy a special tax.

Adjournd.

SENATE. THIRTY-SIXTH DAY. FRIDAY, JAN. 24, 1873.

Senate met at 11 o'clock. Lieut. Governor in the Chair. Journal of yesterday read and approved.

Senator Respass reported Senators Holoman and King as absent from their seats on account of sickness.

Under motion of Senator Respass, leave of absence was granted Senator Terry Epps until Monday next.

Senator Waring reported Senator Powell absent on account of sickness.

The Chair appointed Senator Nicholson as reporter of the Senate as a committee in regard to Keeper of Capitol.

REPORTS. Reports from Standing Committees were submitted by Senators Love, Allen, Dunham, Morehead of Rockingham, Seymour, Murray, Grandy, Eastland and Todd.

MESSAGE. A message was received from the House transmitting a number of bills and resolutions which had passed that body, which were referred or otherwise disposed of.

By Mr. Seymour, a bill to amend the Holden Hook and Ladder Company of Newbern to change its name to the Mechanics' Hook and Ladder Company, passed its several readings.

PETITIONS. Senator Grandy presented a petition from the Board of Commissioners of Pasquotank county, praying the forfeiture of the charter of a certain toll bridge over Pasquotank river. Referred.

On motion of Senator Harris, the rules were suspended, and the resolution requesting the Joint Committee to investigate the allegations in the Penitentiary, to sit with open doors, was adopted.

BILLS INTRODUCED. Senator Flemming, a bill to amend an act to incorporate the town of Catawba Vale in McDowell county. Referred.

Senator Seymour, a bill to prohibit the sale of ardent spirits to minors. Referred.

Senator Harris, a bill concerning the Justices of the Peace in Creek township in Cumberland county. Referred.

Senator Mabson, a bill to re-enact section 568, chapter 7, laws of 1868-'69.

Senator Cunningham, a resolution authorizing the Board of Ed-

ucation to sell Durants Island in Albemarle Sound near Albemarle river, to Greenleaf Johnson of Baltimore.

Resolution passed under a suspension of the rules.

Senator Morehead of Guilford, a preamble and resolutions in regard to the Wilmington, Charlotte and Rutherford Railroad Company. Adopted under the rules.

Senator Harris, a resolution in favor of M. A. Bledsoe. Referred.

The rules were suspended on motion of Senator Avera, and the resolutions entitled amnesty and pardon, were referred to the Judiciary Committee, with instruction to report on the same in time for the special order to-morrow.

Under a suspension of the rules, the bill repealing the charter of the Cape Fear Building Association, passed its several readings by motion of Senator Mabson.

CALENDAR. Resolution in regard to the internal revenue was read, discussed at length and failed to pass by a vote of 18 to 20.

The resolutions in regard to the Insane Asylum was taken from calendar, and on motion of Senator Waring, recommitted to the committee.

SPECIAL ORDER. An act to incorporate the "Midland North Carolina Railway Company."

The bill being a lengthy one, it was considered by sections, on motion of Mr. Brown, of Mecklenburg.

The bill was considered and amended as far as section sixth, when the bill was made a special order for to-morrow 12:15.

On motion of Senator Dunham, the House adjourned until 11 o'clock to-morrow.

HOUSE OF REPRESENTATIVES. THIRTY-SIXTH DAY. JANUARY 24th, 1873.

PETITIONS. By Mr. Stinson, a petition praying the prohibition of the sale of liquor near Cypress Creek Church.

By Mr. Shaw, praying a prohibitory liquor law.

By Mr. Gray, a petition relative to the fees of pilotage.

By Mr. Norment, a petition praying the prohibition of the sale of liquor within three miles of Ashpole Church.

By the Speaker, a petition from certain citizens of Halifax county, praying a law prohibiting the sale of liquor near Vine Hill Academy.

The Committee on Privileges and Elections submitted a report concerning a contested election case from an auditor, viz. Luke vs. Jones, that Jones, the present member, is entitled to his seat.

The Select Committee of the General Assembly, of which General Gorman is chairman, appointed to inquire into the feasibility of heating the capitol building with improved apparatus, made an elaborate report in regard to the same, in the House to-day. The committee favored the improvement in point of economy, as well as utility, although it would cost ten or twelve thousand dollars, and demonstrated by a comparative table, that the State would save annually, by the improvement, about \$3000. The present manner of heating, although it would cost nearly \$5,000, would be reduced to less than \$2,000.

By Mr. Perry of Bladen, a petition praying the prohibition of the sale of liquor.

RESOLUTION. By Mr. Blythe, a resolution fixing time of considering private bills.

BILLS. By Mr. Scott, a bill making Trent river a public nuisance.

By Mr. Bennett, a bill to repeal sec. 4, chapter 2, Revised Code.

By Mr. Dula, a bill to authorize Commissioners of Wilkes county to issue bonds.

By Mr. Watson, a bill to incorporate the Chapel Hill Iron Mountain Railroad Company.

By Mr. Bowman, a bill to change the line between Yancey and Mitchell.

By Mr. Blackwell, a bill to regulate rates of toll.

By Mr. Perry of Bladen, to prohibit sale of liquor in French's Creek Township, Bladen county.

By Mr. McLaurin, a bill to amend section 4, chapter 139, laws 1870-'71.

By Mr. Gray, a bill to create a Board of Commissioners for Ocrake and Hatteras Inlets.

By Mr. McLaurin, a bill to establish a House of Refuge and Correction for New Hanover county.

By Mr. Lattin, a bill to change the time of holding Superior Courts of Cumberland county.

By Mr. Hanner was announced as being sick.

Leave of absence was granted Mr. Reid of Mecklenburg.

The rules were suspended and the House resolution asking the North Carolina Representatives in Congress to use their influence against the repeal of the Bankrupt Law, was taken up and adopted.

House bill to change the time of holding the Courts in the 10th Judicial District, was taken up and passed second and third readings.

House resolution in favor of the sureties of Jesse Sumner, Sheriff of Buncombe county, for the year 1869, passed second readings.

The resolution was read a third time and amended so as to make the resolution take effect from and after the payment of the State and county taxes, by the sureties; and passed third reading.

The unfinished business, being the bill to amend the present school law, was postponed, and the report of the Committee on Privileges and Elections relative to the case of Luke vs. Jones, was taken up.

On motion of Mr. Jones, of the House of Representatives, the adoption of the report of the Committee, was taken up.

Mr. Abbott moved that the consideration of the report be postponed and made special order for Monday next at 11 a. m.

Mr. McJee opposed the motion to postpone.

Mr. Badger favored the motion to postpone. The minds of members are now trained for the consideration of a bill to amend the school law, and should have precedence to this or any other report.

Mr. Moring and Brown, of Mecklenburg, opposed the motion to postpone.

The motion was lost—yeas 45—nays 53.

Mr. Badger moved to postpone until to-morrow at 12 m. Lost.

years 45—nays 56. The report was read.

Mr. Mabson said that he was a citizen of Edgecombe; that he had been Sheriff of that county since 1869. When absent from that county it had been only for temporary purposes. All I ask of the House is a fair trial—simple justice; and if the members see fit to return me to my constituents, I will cheerfully accept that determination of the matter.

Mr. Badger called the attention of members to an opinion of Judge Gaston, concerning the question of residence, and took the position according to the opinion of Judge Gaston in Robert vs. Cannon, 324 Dev. Bat. 256. The residence of a person required to qualify himself for a seat in the General Assembly is not his temporary actual residence, but his domicile—his home. According to Mabson's testimony, he never gave up his home continuously from 1869 to this date, and he always so considered it, and spoke of it. He kept his room and such property as he possessed then except such as he needed when off duty from school.

He was registered in Beaufort county under a misapprehension of his right. This misapprehension is liable to indictment under the election law, but does not touch the question here—the question whether he was domiciled in Edgecombe at the time before the election. He swears he was in that he is liable to indictment in Beaufort. Then we must see him, as nothing appears here other than this to conflict with his oath.

Mr. Norment opposed the adoption of the report of the Committee. The strongest evidence in this case is the testimony of the sitting member himself. If we believe he has told the truth, and his evidence has not been impeached, then the weight of the testimony is in his favor.

Mr. Moring argued the adoption of the report. If Mabson voted contrary to law in Beaufort county, he should not be allowed to take advantage of his own wrong. Having voted in Beaufort in 1871, he must have been a citizen of that county.

Mr. Ellison opposed the adoption of the report, and dwelt upon the testimony of Mr. Mabson as controlling the matter, and that he should vote against the adoption of the report.

Mr. Waugh opposed the adoption of the report. He stated there was a great deal of conflicting evidence in this case, and that Mr. Mabson should have the benefit of the doubt raised by such testimony. The facts elicited by the committee do not warrant us in deciding that Mr. Mabson's domicile was in Beaufort county, because he voted there in 1871. He says himself that he voted there under a misapprehension of his rights. He left Beaufort in the capacity as a school teacher; he held possession of a room in Tarboro; paid rent for the school; received tax receipts from the sheriff of Edgecombe for 1869 and 1872; these facts are conclusive that his residence was in Edgecombe, and that he intended to return to Edgecombe after he had finished teaching school in Beaufort county, and that he intended to report of the Committee.

Mr. Bowman said he should not vote on this question as a party man. The question is—was Mr. Mabson a citizen of Edgecombe for twelve months before the election in August, 1872? If he was, we are empowered as jurors of Beaufort county, and Mr. Mabson was on trial for illegal voting in that county, with this testimony before him, he would be compelled to find him guilty. He could not have voted illegally if he was a citizen of that county, and therefore, he was a citizen of Edgecombe county. The matter is so plain to my mind, that Mr. Mabson was a citizen of Edgecombe county, that I cannot see how they can be two opinions on this subject. I will vote to reject the report of the Committee.

Mr. Gorman said that he did not intend to enter into this debate.—The bill to incorporate Mecklenburg (Mr. Brown,) has said that there are but two horns to this dilemma, and we must take one of the two.—There are two questions in this case—one of fact and one of law. We are here to decide the question of fact—whether Mr. Mabson was a citizen of Edgecombe for twelve months prior to the August election in 1872. The question of law is for the judicial branch of this government, and not for the Legislature.

Mr. Brown, of Davidson, said that he did not take a part in this discussion as a partisan. He called the attention of the House to the facts of the case as reported by the Committee, and took the position that Mr. Mabson was a citizen of Edgecombe county. Taking it for granted that Mr. Mabson did vote in Beaufort county in 1871, we are not here to try a case of a criminal nature. That is not our province. We are to decide merely upon the question of fact—whether Mr. Mabson was a citizen of Edgecombe for twelve months prior to the August election in 1872, and not whether Mr. Mabson violated the election law by voting in Beaufort county.

Mr. Johnson defended the adoption of the report and defended the report of the Committee.

The report was adopted—yeas 59—nays 49.

UNFINISHED BUSINESS. House bill to amend the school law ratified 12th February, 1872, being unfinished business of yesterday, was taken up. The question being on the motion of Mr. Badger to insert the words "in morning" in line 64, after the word "Sheriff,"

Mr. Anderson of Clay, moved the House go into Committee of the Whole on the school bill. Lost—yeas 40—nays 56.

Mr. Jones of Caldwell, reported the amendment of the whole on the Committee of the whole on yesterday, which was adopted, and the amendment offered by Mr. Badger was adopted.

The following amendment offered by Mr. Craig, was adopted: "Strike out all the words from line 59 to the word 'the' in line 63, and insert in lieu thereof, the following: 'If the tax levied in this act for the support of the public schools shall be insufficient to maintain one or more schools in each township for the period of four months, then the county Commissioners shall levy annually a special tax to supply the deficiency for the support and maintenance of said schools for the said period of four months.'"

The substitute offered on yesterday by Mr. Brown, of Mecklenburg, for section 25, as reported by the Committee, was not adopted.

Mr. Merrimon moved to reconsider the vote whereby the House refused to strike out the proviso of section 25, as reported by the Committee. Carried.

Mr. Badger moved to strike out the proviso. The yeas and nays were called, and the motion was lost—yeas 37—nays 59.

The school bill was postponed and Mr. Goodwyn introduced a resolution informing the Governor of the vacancy existing in the House by the unsetting of Mr. Mabson.

Adopted.

Mr. Brown, of Mecklenburg, introduced two bills as follows: To incorporate the town of Pineville, Mecklenburg county.

Also, a bill to incorporate the Stowe Falls Manufacturing Company.

Adjournd.

positions that could have been submitted to any body. He gave a history of the Ku Klux and White Brotherhood, &c., and spoke of the crimes they had committed; said Senator Allen did not mention the support of the public schools by the Ku Klux, and thought if any were guilty of the crime of murder, arson, rape, etc., they should be punished to the extent of the law. He would enter his protest against the passage of the bill.

Senator Merrimon next spoke and said he never belonged to any secret society, and did not believe there was such a thing as Ku Klux until the impeachment of Gov. Holden. He did not denounce either of the societies and pronounced the League a political society, and to prove the fact pointed to the Republican organs, and the national speeches, the trial of Gov. Holden, &c. He had no sympathy for crime. He had never been convicted of any crime, and the bill could not do him or any of his relations any good. He favored the passage of the bill on the broad ground of justice.

Senator Harris said personally he was prepared to vote for anything looking to peace and harmony, but he objected to the bill classing the Union Leagues with the Ku Klux, &c. He was one of the first to join the Leagues in this State, and said he could not point to any crime committed by them; they were as different as night and day.

Senator Murphy said that but for the League there never would have been any Ku Klux—force, begot force, light light, and denied that the Leagues were always so holy, righteous, &c.; that they had been guilty of numerous outrages in almost every part of the State, in which he lived, such as whipping, clubbing and shooting down colored men for not taking an active part in their political movements, &c.

On motion of Mr. Troy, the further consideration was postponed, and it was made a special order for 12 o'clock Monday.

The resolution in regard to the bankrupt bill was then adopted by a vote of 24 to 15.

On motion the Senate adjourned until 11 o'clock Monday.

HOUSE OF REPRESENTATIVES. THIRTY-SEVENTH DAY. SATURDAY, JAN. 25, 1873.

Senate met at 11 o'clock. Lieut. Governor in the chair. Journal of yesterday read and approved.

PETITIONS. Senator McCauley, a petition from the citizens of Johnston county, praying for the extension of their town and for other relief.

REPORTS. Reports from Standing Committees were submitted by Senators Love, Allen, Murray, Price, Ellis of Catawba, Avera, Welch and Gudger.

Senator Avera, a bill for the better protection of the poor. Referred.

Senator Troy, a bill to aid planters, miners, manufacturers and others. Referred.

On motion of Senator Ellis, of Catawba, the rules were suspended and the House resolution in favor of the Commissioners of Madison county was taken up.

Senator Merrimon explained the resolution as being a proposition to remunerate the Commissioners of Madison county for taking care of a Mr. Sawyer, a lunatic, he having been refused admittance in the Insane Asylum for want of room.