STATE LEGISLATURE.

SENATE.

WEDNESDAY, December 17.

The Senate met pursuant to adjournment.

A message was received from the House of Commons transmitting an engrossed bill concerning pilots. Passed first reading and referred to the committee on Judiciary.

Mr. Eaton, from the Committee on Corporations, reported the bill to incorporate the Salem Cemetery Company, with amendments.

Mr. Hill, from the Judiciary, reported a bill to allow the testimony of wives to be taken in certain cases. Also, he reported in favor of the resolution requiring persons to run [illegible] land every ten years. He also reported [illegible] of a bill allowing Plankroads [illegible] Gorrell, from [illegible] use stone, gravel or plank [illegible] establishing a standard [illegible] the same, reported agt [illegible] weight.

Mr. Houston reported favorably to the resolution allowing Dr. Hawks the use of the Library. It passed its second and third readings.

Mr. Wilder, (by request of the Speaker,) introduced a bill to amend the act incorporating the Western North Carolina Rail Road.—It provides for the completion of that Railroad from where it is at present located to the French Broad. The State is to build the tunnel and give it to the company, and then take two-thirds of the stock. It is to be built in four sections. It was referred to the committee on Internal Improvements, and ordered to be printed.

Mr. Christian introduced a bill to incorporate the North Carolina Gas, Coal and Transportation Company. Capital stock $1,000,000. Referred to the Committee on Corporations.

Mr. W. H. Thomas introduced a bill to amend the act incorporating the Cheoe Turnpike Company. Referred to Internal Improvement committee. He also introduced a resolution proposing that the committee on Internal Improvements inquire into the propriety of uniting the Western N. C. Railroad and Extension of Wilmington and Rutherford Railroad, and pass both through the mountain in the same tunnel.

Mr. Battle introduced a bill to exempt certain slaves from taxation.

Mr. Houston introduced a bill to incorporate Warsaw High School, in Duplin county. Referred to the committee on Education.

The Chair presented a communication from the Public Treasurer complying with a resolution requesting him to furnish a statement of the liabilities and resources of the State. Ordered to be printed.

The bill to take lay-days from the fisheries on Roanoke was taken up. Mr. Clark moved its indefinite postponement. Mr. Cherry rose and said: That if the Legislature had a right to stop the fisheries for one day it had a right to stop them every day in the week, and therefore it did not matter to what expense the owner might have gone, the Legislature could at any time stop his proceedings. He believed that the law was unconstitutional, and if tested would be proved so. The fisheries were a great source of revenue to the State, and should these lay-days continue that source must as a matter of course soon cease. The lay-day was established in 1828, and had been alternately repealed and established ever since. But because it was right then, does it make it right now? Then a Rail-road would have been laughed at and the man who proposed one at the cost of millions been called a fool. Now some new proposition for such road is brought up every day. He considered himself one of the progressive school. He did not belong to that class who, because their fathers put a pumpkin or a rock in one end of the bag and the corn in the other, would still do so. He was against this prohibitory system, which profited one section to the hurt of another.

Messrs. Clark and Person followed in favor of the lay-days, and Messrs. Ramsay and J. B. Jones in a humorous strain against the lay-days. The vote was taken and stood:

YEAS.—Messrs. Battle, Boyd, Burgess, Cameron, Carr, Chesson, Clark, Coleman, Cowper, Cunningham, Dillard, Foxville, Gist, Hawkins, Hill, Holmes, J. B. Jones, McDiarmid, Martin, Miller, Person, Ramsay, Sanders, Speight, Taylor, Ward, Wiggins and Wilder—28.

NAYS.—Messrs. Bryant, Cherry, Christian, Dockery, Eaton, Gorrell, Holt, Houston, A. Jones, W. R. Myers, A. Myers, Pool, Rives, J. W. Thomas, W. H. Thomas and White—17.

Mr. Myers of Mecklenburg, then introduced a bill entitled "a bill to expedite the passage of fish up the Roanoke River." It provides that the River for 49 miles shall be divided into 7 sections of 7 miles each, Monday to be a lay day in the first section, Tuesday in the 2d and so on through. Considerable fun was created by this bill. Mr. Hill moved its reference to the Committee on Internal Improvement, which was done.

The bill concerning Harnett county was taken up and put upon its third reading. A spirited discussion sprung up in which Messrs. McDiarmid, Reeves and W. H. Thomas engaged. Mr Reeves introduced an amendment, proposing to strike out all but the enacting clause and insert another bill. The amendment was defeated. The bill then passed by yeas 32; nays 10.

Leave of absence was then granted to Mr. Foxville, of Onslow, to Mr. Dillard, of Chowan and Mr. Jones, of Currituck.

On motion of Mr. Christian, the bill to incorporate the Cheraw and Coal Fields Railroad was made the order for Saturday at 12 o'clock.

The Senate then adjourned until to-morrow at 11 o'clock.

HOUSE OF COMMONS.

WEDNESDAY, Dec. 17.

The House was called to order, and the Journals read.

Mr. Dancy submitted a report from the select committee on the election of Councillors. The following gentlemen were elected, viz: Messrs. Marchant, Ward, Long, Bethel, McKay, Walker, and Avery.

Mr. Reeves offered a resolution to expunge the preamble of a certain bill.

Mr. Lewis, of Wake, a resolution that a two-third vote be required to take a bill from the table after re-consideration.

Mr. Baxter moved that the resolution be laid on the table—ayes 56, noes 54.

Mr. Clark, a resolution concerning Revenue.

Mr. Stiles, a resolution in favor of purchasers of Cherokee lands.

Mr. Lewis, of Wake, a bill to incorporate the "Oak City Guards."

Mr. Slaughter, a bill for the protection of unsuspecting females in relation to injudicious marriage.

Mr. Jarvis, a bill to incorporate the Currituck Hotel Company.

Mr. Mann, a bill to establish a free ferry and road.

Mr. McIntosh, a bill concerning a portion of the Common School Fund in Alexander county.

Mr. Booth, a bill for the improvement of the head of Salt River, and to charter extra boats along the route. Tabled.

Mr. Jarvis, a resolution for the relief of F. H. Dexter.

Mr. Kelly, a bill to amend sec. 2, ch. 54, Revised Code, so as to include steamboats and sail vessels.

The consideration of the "Peoples' Bank" was resumed by Mr. Caldwell. Mr. Baxter advocated the bill until the hour of adjournment.

SENATE.

THURSDAY, Dec. 18.

The Senate met pursuant to adjournment.

A message was received from the House of Commons concurring in a message of yesterday. Also a message transmitting a message of the Governor together with the Report of the Board of Internal Improvement, and the President and Directors of the Atlantic and North Carolina Railroad, and proposing to print; concurred in.

Also, a message transmitting certain engrossed bills which passed their first reading and were referred as follows:

A bill to incorporate the town of Rockingham.

A bill to amend those sections of Revised Code relating to Common Schools. [Mr. Ogburn's bill.]

A bill to incorporate the York Collegiate Institute, Iredell county.

Mr. Thomas, of Jackson, from the Committee on Internal Improvements, submitted a report upon the Greensborough and Danville Railroad. The report thinks the objections to it have been removed—the N. C. Road having been some [illegible] in operation—that if built the through [illegible] and travel between North and South will be secured and South West, which travel could secure worth at least $1000 per [illegible] mail. It procured, while in all the freight and dollar of travel the Great North it thinks that all travel which poses to take the Central road will still go that way and that the Danville Connection will bring much freight to North Carolina it will carry to Virginia. It adds a section concerning the taxation.

Mr. W. H. Thomas made some remarks in which he said that the route by this connection would be the shortest yet built or in progress between New York and New Orleans, and from New York to Memphis is by this route on through Western North Carolina. He also reported from the same the Greensboro' and Milton Railroad Company. Report upon it about the same, but says it does not think proper to pass both bills, and leaves the Senate to discriminate. The former bill and report was ordered to be printed.—Mr. Thomas moved that the latter be printed.—Mr. Hill objected and he wished it to come up as soon as possible, and therefore did not wish the delay of printing. Mr. Thomas thought both bills should come up on an equal footing, therefore renewed his proposition to print, which was agreed to. He also reported a bill to amend the charter of a turnpike company.

Mr. Boyd, from the Committee on Propositions and Grievances, reported against a bill concerning the line between Chatham and Alamance. Also, against the bill to change the line between Edgecombe and Nash.

Mr. Wilder, from Committee on Banks and Currency, reported in favor of a bill to re-charter the Bank of the State, and moved it be made the order for ½ past 12 o'clock on Saturday. Agreed to.

The Special Order was taken up, it being the bill to repeal certain sections of the charter of the Greenville and French Broad Railroad. The section proposed to be repealed compels the Company to adopt on their road the North Carolina guage. Mr. Thomas, of Jackson, said that the bill had never been referred to a committee or been printed, therefore he moved that it be laid on the table and printed. Mr Coleman made some remarks opposing the proposition to print. The motion of Mr. Thomas was agreed to by yeas 26, nays 15.

A message was received from the House proposing to appoint a Joint Committee to wait on the Governor and inform him of his election. Also, a message proposing to raise a Joint Committee to make arrangements for the inauguration of his Excellency.

Mr. Boyd introduced a resolution that no business of importance should be transacted between Monday next and the 1st of January. Amended by inserting the 24th of December in place of Monday and passed.

Mr. Gorrell introduced a resolution and memorial in favor of J. M. Morehead and Mr. Arnold. Referred to the Committee on Judiciary.

Mr. Person introduced a bill to authorize the Public Treasurer to subscribe for stock in the Roanoke and Seaboard Railroad to the amount of their bonds held by the State. Referred to the Committee on Internal Improvements.

Mr. Reeves introduced a bill to amend the charter of the town of Pittsborough. Referred to Committee on Corporations.

Mr. Wilder introduced a bill to revive the Chatham Railroad Company.

Mr. Martin introduced a bill to incorporate a Turnpike Company.

The bill to submit Free Suffrage to the people passed its second reading, the rules were suspended and it passed its third.

Mr. Houston moved that the bill to amend the charter of the Wilmington Savings Bank be taken up and put upon its third reading. Agreed to, and the bill passed.

The following bills then passed their third reading:

A bill to amend the charter of the [illegible] Cheoe Turnpike Company.

A bill concerning fire hunting at night. A bill to incorporate the town of Troy. A bill to amend the charter of the Oconolufty and Quallah Town Turnpike Company. A bill to amend the charter of the Tuckasegee and Nantahala Turnpike Company. A bill to distribute proceeds of Literary Fund was laid upon the table.

The bill proposing to give certain State lands in Watauga to that county. Mr. Clarke opposed the bill. Mr. Bryant asked a question in favor of it; also, Mr. Thomas, of Jackson. Mr. Bryant rose and said:

That this bill was a matter of great importance to his people. His friend on the other side of the House seemed to think that these lands were a great source of revenue. He did not think so. They were poor and unproductive lands; all that were of much value, had been sold and the money paid in. His suffering people only asked for the lands that they might build better roads, and thus be enabled to attend church and go to mill more conveniently. His people had suffered greatly and long, and it was time some of their grievances were listened to and redressed. They had again and again petitioned and were as often driven back without any satisfaction. Could it be expected that any great deal of civilization or enlightenment would exist in his county when every attempt that had been made to improve the condition of the people was defeated. He hoped the Senate would in this instance be disposed to do his people justice by passing this bill. Mr. Hill followed in opposition to the bill, also, Mr Clarke. Mr. Ramsay spoke in its favor. Mr Gorrell said the lands had been in market for years at 5 cents per acre, and the fact that they were not all taken up, shows that they are not worth much. He made a short argument in its favor. The vote was taken upon the passage of the bill and stood:

YEAS.—Messrs. Brogden, Bryant, Dockery, Gibson, Gorrell, Gist, Holt, J. B. Jones, A. J. Jones, Mills, W. R. Myers, A. Myers, Ramsay, Rives, J. W. Thomas, W. H. Thomas, and White—17.

NAYS.—Messrs. Battle, Cameron, Carr, Chesson, Christian, Clark, Cowper, Cunningham, Dillard, Eaton, Fennell, Hawkins, Hill, Holmes, Miller, Person, Pool, Sanders, Speight, Taylor, Wiggins, and Wilder—22.

A member having changed his vote with a view to re-consider, Mr. Clark, to stave off further agitation, moved a re-consideration, and then moved to lay said motion on the table, which was done by yeas 22, nays 20.

A proposition was made to adjourn to an earlier hour to-morrow than 11 o'clock. Rejected by yeas 20, nays 21.

The Senate then adjourned.

HOUSE OF COMMONS.

THURSDAY, Dec. 18.

The House was called to order, and the minutes read.

A message was read from the Senate transmitting a statement from the Public Treasurer.

A message from His Excellency was read transmitting the report from the Board of Internal Improvements.—Sent to the Senate with a proposition to print.

A message from the Senate was read transmitting the report of the joint select committee on Cherokee Lands.

The report of the President of the Atlantic and N. C. R. R. Company. Sent to the Senate with a proposition to print.

The following engrossed Senate bills passed their first reading, viz:

A bill to abolish jury trials in Polk County.

A bill to incorporate the town of Thomasville.

A bill to amend the charter of the Western Plank road Company.

A bill to amend the charter of the Charlotte and Taylorsville Plank road Company.

A resolution to establish a Naval Depot and Navy Yard at Beaufort Harbor.

Mr. Rumley presented a memorial asking for a branch from the N. C. R. R.

Mr. Hill, of Stokes, presented the resignation of J. M. Covington, J. P.

[illegible] that during the [illegible] House adjourn at 2 o' [illegible]

Mr. Scott resolution that a joint committee [illegible] to inform the Governor of his re-election.

Mr. Humphrey, a resolution that a joint committee be appointed to wait on him during the administration of the oaths of office, and the delivery of his inaugural.

Mr. Outerbridge, a resolution in favor of W. W. Ward, Sheriff of Martin County.

Mr. Siler, a resolution in favor of West ——, of Macon Co.

Mr. Rankin, presented a bill regulating the appointment of Justices of the Peace, and for other purposes.

Mr. Hall, a bill to charter the town of Salisbury.

Mr. Bledsoe, a bill to amend sec. 3, chap. 102 Rev. Code.

Mr. Jennett, a bill concerning the pilots of Ocracock and Hatteras Inlets.

Mr. Sharpe, a bill to increase the pay of witnesses.

Mr. Folk's bill to attach a part of Caldwell county to Watauga.

Mr. Thompson a bill to amend the charter of the Atlantic and N. C. R. R. Company.

Mr. Dancy a bill to amend the charter of the town of Wilson.

Mr. Kelly a bill to consolidate the Common School Districts in the town of Newbern.

The People's Bank came up under the head of unfinished business.

Several amendments were offered and accepted. Messrs. Baxter, Leach, of Davidson, and Dargan, advocated the passage of the bill. Messrs. Hill, of Halifax, and Jenkins opposed it.

The hour of adjournment having arrived, the consideration of the bill was postponed.

SENATE.

FRIDAY, Dec. 19.

The Senate met pursuant to adjournment.

Mr. Person presented two memorials, one counter to the other, one proposing to authorize two free negroes to reside in the State.

Mr. Clark reported in favor of the bill to incorporate the Holly Springs High School, with some amendments.

Mr. Hill, from the Judiciary Committee, reported against a bill concerning estates of deceased persons. Same from the same, against a bill concerning suits against Railroad Companies. Same from same in favor of the bill concerning Coupon Bonds.

Mr. Person introduced a bill to authorize J. Small and wife and children (free negroes) to reside in this State. Referred to Committee on Propositions.

Mr. Cameron introduced a bill to amend the charter of the town of Hillsborough. Referred to Committee on Corporations.

A message was received from the House of Commons transmitting a message of Governor, together with the Report of President and Directors of Literary Fund and proposition to print. Also, a message informing the Senate of the appointment of Committees. The Speaker appointed Mr. Mills as the Senate branch of Committee to wait on the Governor, and Messrs. Pool, Clarke and Wilder a Committee to make arrangements.

Mr. Gorrell introduced a bill to extend the charter of New Garden Boarding School in Guilford county. Referred to the committee on Education.

Mr. Fennell introduced a bill to amend the act incorporating the Bank of Wilmington. Referred to the committee on Banks and Banking.

Mr. W. H. Thomas introduced a bill to incorporate the Nantahala Mining Company. Also, a bill to incorporate the Tuckasegee Mining Company, which was referred to the committee on Judiciary. Also, by the same, a petition concerning the Blue Ridge railroad.

Mr. Bryant introduced a bill to improve Deep Gap and Baker Gap roads, in the county of Watauga. Mr. Clarke opposed the reception of this bill and raised a point of order,—the Speaker decided against him. Mr. Eaton moved its reference to the committee on Education and the Literary Fund. Mr. Bryant moved it be [illegible], which was done.

A message was received from the House of Commons transmitting enrolled bills to which the signature of the Speaker was affixed.

Mr. Ward introduced a bill to incorporate a Masonic Lodge in Lenoir county.

Mr. Cunningham moved that the bill to secure [illegible] of State bonds from loss be taken up, which was done. Mr. Gorrell said he wished to amend, and desired a little delay to prepare the amendment. [A short discussion sprung up between Messrs. Gorrell, Cunningham, and Eaton, in which Mr. Eaton paid a high compliment to Mr. Gorrell as a Senator and as a member of the Judiciary Committee.] The bill was amended and passed. The amendment provides for the reception of registration as evidence in courts of law.

The bill to repeal sections 5, 6, and 7, ch. 30 of the Revised Code was taken up. Mr. Eaton opposed it. Mr. Holt offered an amendment. Messrs. Holt, W. H. Thomas and Dockery made some remarks upon this bill. [Our report of their remarks will appear as soon as our limited space will permit.] The amendment was ordered to be printed.

Mr. Hill, from the Judiciary Committee, reported in favor of a bill repealing 17th sec. 18th chap. of Revised Code. Mr. Fennell moved that the rules be suspended, and the bill put upon its second and third readings. Mr. A. J. Jones made some remarks in its favor and in explanation of its provisions.

A bill to amend sec. 1, ch. 28, of the Revised Code, in relation to county revenue. Mr. Dockery made some remarks, which, for want of space, we must defer. It was, on his motion, for the present, laid on the table.

The bill to incorporate the Salem Cemetery Company was put upon its 2d reading. The amendments of the committee were agreed to, the rules suspended and the bill passed its 2d and 3d readings.

The bill to incorporate Holly Springs High School passed its second reading.

The bill to make the Wilmington and Weldon Railroad the dividing line between Edgecombe and Nash county. Quite an amusing discussion sprang up on this bill, Mr. Battle spoke in its favor and Mr. Clarke against it. Mr. Bryant asked if it was not to mend not make a county and wondered if it was not to take some off from a large county and put on one of those Eastern counties which have not the requisite population. On motion the bill was postponed until the 4th of July next.

Leave of absence was granted to Messrs. Bryant Speight and Ward.

On motion of Mr. W. H. Thomas the Senate adjourned until 10 o'clock to-morrow.

HOUSE OF COMMONS.

FRIDAY, December 19.

A message from the Governor was read, transmitting a report from the President of the Literary Board.

The following engrossed bills of the Senate, passed their first reading, viz:

A bill to amend an act, forming the County of Harnett.

A bill to incorporate Trent River and Tuckahoe Navigation Company.

A bill relating to the Lunatic Asylum was read, introduced by the special committee on the Lunatic Asylum.

Mr. Withers offered a resolution, that no bill or resolution of public interest, be passed between the 23rd and the 1st January.

Mr. Lewis of Wake, a resolution that the use of the Hall be granted to the "Oak City Guards" on Saturday evening next.

Mr. Scales, a resolution to the effect that the Governor be authorized, to purchase 50 copies of Dr. Hawks' History of N. C.

Mr. Lewis of Wake moved that the rules of the House be suspended, so as to admit the bill, appropriating $25,000 for the use of the Lunatic Asylum, to pass its several readings. Tabled.

Mr. Jenkins, a resolution that the appointed hour of adjournment be rescinded.

Mr. Harraway, a bill relating to the County Court of [illegible]

Mr. Avery asked to withdraw a bill introduced by himself.

Mr. [illegible] a bill to authorize Justices of the Peace to appropriate one year's support for the intestate family.

Mr. Gerry a bill preventing the felling of timber in Cranberry Creek.

Mr. Clark a bill to incorporate the Davenport Female College.

Mr. Baxter moved that the use of the Hall be granted to certain Indian Chief, to-night.

Mr. Moore a bill for the better regulation of the town of Clinton.

Mr. Dargan occupied the floor on the People's Bank.

The discussion was continued until a late hour, when the House adjourned.

SPEECH OF MR. POOL,
OF PASQUOTANK,

On the bill to establish a new Judicial Circuit.

MR. SPEAKER: This bill proposes to make another Judge in North Carolina, and to lay off a new Circuit. It increases the annual expenses of the State, and can be justified only on the ground that more labor is now imposed upon the Judges than ought to be required at their hands, or that it will secure the more effectual administration of justice. We have a Message from the Governor on the subject setting forth the facts upon which the bill is based, and recommending the establishment of the circuit.

I have examined the facts stated in the Message, and I have considered the reasoning that led to the recommendation. And it seems clear to me, that a new Circuit is totally unnecessary. The inconvenience complained of is confined to the sixth and seventh Circuits, and arises from the fact that in the above is fourteen counties, and in the other eleven. In speaking of the seventh Circuit, the Message tells us that, "from the present arrangement of the courts of this Circuit, any Judge riding it will necessarily have to cross the Blue Ridge four times." "*With the present arrangement!*" Then, why not make a different arrangement? If this Circuit has a greater number of counties than its fair proportion, why not arrange so as to distribute the excess among the other Circuits, giving it to those where the travel is easy and where there is no Blue Ridge to cross? The first Circuit has but ten counties; and from the Court House of Chowan to the Court House of Currituck it is less than fifty miles on the best roads in the State—and in that distance you pass the Court Houses of Perquimans, Pasquotank and Camden—making five of the ten courts of the Circuit within a range of less than fifty miles. And between the other five there is great facility of travel. You might put four additional counties to that Circuit and incur no risk of overworking the Judge by excessive travel, so as to unfit him for the discharge of his duties. Add to that Circuit Edgecombe, Halifax, Northampton and Martin, and, as a practicing lawyer there, and a representative of a portion of the counties on this floor, I will take the responsibility of all the "accumulation of cases upon the docket," that results from the excessive travel which the Judge will have to perform in getting to his courts.

The second Circuit has but eleven counties, the third but ten, and the fourth and fifth but twelve each. It is extraordinary that fourteen or fifteen counties are kept in the mountain Circuits, where the travel is most difficult. Is it to furnish some show of reasoning for a new Circuit and an additional drain upon the public treasury, the condition of which calls for economy, and shows that the credit of the State demands the first care and the best wisdom of this Legislature? It seems to be the policy of some men to pay out of every difficulty, especially when the money is to come from the State, but it is the part of wise men to meet the evil, if possible, by some prudent arrangement.

There are but eighty-four counties in the State, and seven Judicial Circuits. This gives an average of just twelve counties to a Circuit. Allow the Judges two weeks to go and return, and they are nominally engaged but twenty-six weeks in the year—just half their time. Is that too great a length of time, and with duties far more arduous than those imposed upon the Judges. They must not only attend to their cases in court, having all the anxiety of counsel, the burden of examining witnesses, managing the trial, and addressing the juries—but, out of court, they must give advice, write instruments, hear new cases, and prepare old ones for trial. Yet, I have seldom heard that great weariness has unfitted them for business, or excessive toil emaciated their forms. The Judge sits upon the bench, attends to the trial as conducted by counsel, and charges the jury as long as he pleases. And it is pretended that he is overlabored. It is said by a Senator, that the lawyers visit their homes occasionally, during their courts. It may be so. But the argument is that the Judges are broken down with travel and labor, and therefore, cause "accumulation upon the docket." If the lawyers of the Circuit can travel to the courts and discharge their duties, without too much fatigue, and then perform the additional travel to get to their homes or visit friends, it seems to indicate that all this talk about breaking down Judges is but a fancy picture.

They say the Judges should have some time to read. We give them half the time to read, and require that the other half should be spent, necessarily, in applying their reading to practice and earning their salaries. I think the proportion fair and wise. Even if there be no arrangement to avoid the excess of labor in the Seventh Circuit, each Judge is compelled to ride it but once in three years and a half, and he has a compensating diminution of labor when he rides the Circuits which have but ten counties. The average is but one half of his time.

The argument for the bill presents but two propositions: First, that the Judges are overworked; and second, that it results in injury to the people by an "accumulation of cases upon the docket." All that is said in the message about "increasing the expenses of the counties, and rendering extra terms of the courts necessary, and causing to suitors a large accumulation of costs and expenses," &c., depends, after all, upon the "accumulation of cases upon the docket;" and this depends upon the overworking of the Judges. The soundness of the second proposition is totally dependent upon the truth of the first. So, the question is, truly, whether it is too much to require our Judges to work twenty-four weeks in the year for their salaries. Sir, I think the time is little enough, and that we should not create an additional drain upon the public Treasury, which is already in such condition as to require our care much more than the Judges of the Superior Courts.

But we are told in the Message, and it is reiterated here, that, by an act of the last General Assembly, the Judges are allowed, "in addition to their regular salaries, the sum of $30, for each court held by them on a circuit over and above twelve"—and that the additional expense for the new circuit would, therefore, be but $2500, a year. Even the annual sum of $2500, ought not to be taken from the treasury in its present condition, unless there is more necessity for it. But if some of the Counties in the sixth and seventh Circuits were taken from them, and an increase of counties put upon the Circuits that have but ten or eleven, the extra $30 a court would be saved to the State; and the difference of expense between this course and the creation of a new Circuit would be nearly $3000 a year. And the reasons which led to the passage of the act of the last General Assembly would fail; for, then, the number of counties in the Mountain circuits, where the travel is so difficult, would be taken off and distributed where the travel is easy and pleasant.

A Senator has said, that it would be difficult, if not impossible, to satisfy Senators from various sections, in effecting the proposed arrangement, and that many have already inquired of him, whether this bill affects the time of holding courts in their counties. If such changes had to be made, it would not be expected of Senators to vote for them upon the instant they were suggested, and without any opportunity of consideration. But if the matter was referred to an appropriate committee, I have little doubt that every one could be satisfied, or at least, some little inconvenience be submitted to for the purpose of economising the public funds. But if the circuits must stand as they are, I can see no reason that would justify the additional cost of a new circuit.

The message tells us that the creation of new counties in the West has brought on the difficulty, and that there is a prospect of other counties being formed in that part of the State. First we are asked to create new counties, and told that it is no tax upon the State treasury? and then, we are asked to form new Circuits at the public expense, because of the "accumulation of cases upon the docket" in the new counties, "rendering extra terms of the Courts necessary" and "increasing the expenses of the counties." For the counties themselves, and not the State, have to pay the expenses of extra terms. And they ought to pay it or consent to such an arrangement as will make it unnecessary.

But, is it true, that there is an "accumulation of cases upon the docket," or that the people of the mountain Circuits are laboring under any inconvenience whatever from this cause? We have no memorials from the people,—no presentments from the grand jurors of the counties, and no instance named, where the docket is crowded with cases from the cause assigned. We have no proof that the people want a new circuit or are aware that it would be of the least benefit to them. If any portion of our people are suffering for want of justice, I would gladly vote any reasonable sum for their relief. The fact that a Senator, at the last session, offered a bill similar to this, and that the effort is again made at this session, is the only evidence that we have that any evil, of the kind complained of, exists, except the mere speculation of certain Senators as to what might possibly be the case. This amounts to no evidence at all. We are told that the water in a river rose, on one occasion, and kept the Judge from a court, and that the roads are sometimes muddy. Will the establishment of a new circuit keep the water from rising in the rivers and prevent mud in the roads? If we possess any such talismanic power, we ought to exercise it to our own glory, by building up the suffering credit of the State.

Sir, I imagine that the leading purpose is to relieve the Judges from a portion of their labor—For, a Senator has said that mental labor is, of all, the most trying and consuming, and as an instance? has referred to members of Congress who come home, after the labors of a session, broken down and emaciated. The fact may be so, and habits of intemperance and keeping late hours in Washington may not be the cause.—But are any of our Judges in the same condition? If they are reduced in flesh and broken down in energy and spirit, it would be well to collect them in the Senate chamber that their haggard faces and shadowy forms might touch our hearts and arouse our sympathies. The specimens that I have seen exhibit no marks of excessive toil, but rather give evidence of comfortable living and light labors. And we hear of no resignations because of their great grievances. Good and able men are willing to fill the place, and should a resignation be handed in to-day, we should experience no difficulty in supplying the vacancy. Let us wait until we find some such difficulty, or hear some reasonable complaint from the people.

Sir, I am accused of suggesting a "picayune policy." And a Senator has said that he can vote money liberally from the treasury and his people will sustain him at home. Any man who advises economy in public expenditure, and resists the unnecessary appropriation of public money, is always obnoxious to such a charge as the Senator makes, and when no good reason can be assigned for proposed extravagance and all arguments are lost, it is usual to substitute for reasoning some vague charge of "picayune policy," and to retire behind high sounding professions of liberality. I shall act, in my course as a legislator, from a sense of right and justice, and with an eye to the present precarious condition of the credit of the State, and shall not be swerved by any fear of ridicule or blame. The people whom I represent are not [illegible] whether sustained or not, I shall do what I believe to be right and just, without regard to any influence out-side of this Senate chamber or within it.

The same Senator has said something of "sausage Democracy," and intimates that we, who say so much about unnecessary expenditures, have some connection with that name, which I did not fully understand. If there be a class of men in North Carolina, whose first care is to guard the public credit, to oppose unnecessary drains upon the treasury, and check extravagant legislation, I am proud to be counted as one of the number—though I do not like the name designated by the Senator, and I greatly dislike the source from which he obtained it—the New York Herald. But he is in a condition to be liberal, and to talk liberally to our Eastern people. The millions which were appropriated at the last session were for the benefit of the West, and the people whom I represent gained nothing from it. I do not say that I would have voted against those appropriations had I then occupied a place on this floor—but the time has come when we must exercise prudence and wisdom. The East pays the greater part of the taxes and feels the main burden of the public debt. Our people pay for Western improvements and receive nothing in return. They have not yet complained, and, have, perhaps, sufficient liberality and State pride to be content. By liberality, Western Senators have nothing to lose, and are, therefore, in the enviable condition that enables them to talk in its praise and to ridicule our ideas of economy.

Perhaps, I am effecting little on this bill by replying to the taunts aimed at me. For, if there were necessity for a new judicial circuit, I should vote for it without any regard to other considerations. But I see no such necessity.—The labor imposed on the Judges, seems to me, but fair and reasonable; and as a whole week is allowed for court in each county, I see no reason for the accumulation of cases because of the number of counties in a circuit. I have no evidence of the existence of any evil which this bill would remedy, and if the inconvenience and disadvantages, which speculation upon future contingencies has suggested, were upon us now, they could all be met and avoided by a slight alteration of the number of courts in some of the circuits, without cost to the State or reasonable complaint from any source.

THE HUGHES PRINTING TELEGRAPH.—The New York correspondent of the National Intelligencer, in his letter of the 20th ult., says:

Mr. Hughes, the inventor of the new and greatly improved printing telegraph instrument, has at length perfected his machine, and during the past few days has been astonishing the telegraphic fraternity and our citizens generally by an exhibition of what his invention is capable of accomplishing. He has had two beautiful instruments in operation, and has conclusively demonstrated to the hitherto incredulous the practicability of transmitting messages both ways at the same time over one wire. The other manifold advantages claimed for this new patent are likewise made manifest at a glance. The power of the machine to work on a long circuit was partially tested on Friday night by connecting them with the telegraph office at Portland, Maine—a distance of some four hundred and fifty miles—and the result was perfectly satisfactory, New York and Portland having for the first time been placed in direct telegraphic communication with each other. There is no question but a much greater distance than this can be worked on one circuit by these instruments. The perseverance which Mr. Hughes has displayed in perfecting his invention is deserving of the highest praise.

SEASIDE SOLD.—Magnolia Springs, 12 miles from Portsmouth, Va., and directly on the line of the Seaboard and Roanoke Railroad, was sold on the 4th inst., at public auction for $3,101.—It was purchased by Mr. Marmaduke Cartwright, of Pasquotank county, N. C.

FOR THE REGISTER.

TO THE MEMBERS OF THE PRESENT LEGISLATURE.

GENTLEMEN: Permit me to call your particular attention to a bill introduced in the Senate, by Mr. Boyd, of Rockingham, on the 25th ult., to incorporate the Greensboro' and Danville Rail Road Company. I do not hesitate to say, and I think I can clearly prove that it is by far the most important bill that has been or will be introduced this session.

The bill upon its face presents an exceedingly modest appearance. It simply asks, as I understand, a charter—the advantage of corporate privileges—without calling upon the State for a single dollar's assistance. A request one would think, not only reasonable and just, but decidedly considerate, when we remember the very large demands for assistance, which have been made upon the State during the last few years for numerous works of Internal Improvement. It is for the reason that the speciousness of Mr. Boyd's bill is likely to deceive the members of the Legislature, that I have taken the liberty of calling your attention to it for a few moments.

In the first place, I admit, that the State has no right under ordinary circumstances to refuse a Company of individuals, who simply ask corporate powers to carry on any lawful occupation. And, therefore, if this was a disconnected question of right, I do not hesitate to say that the Legislature would not be justified in refusing a charter to Mr. Boyd's Company. But the circumstances attending this case are [illegible] peculiar. Let us see for a moment, what they are. The State of North Carolina has but recently invested three millions of dollars in the North Carolina Rail Road. It has subscribed $1,067,000 in the Atlantic and North Carolina Rail Road; $600,000 in the Western Extension, with a guarantee to increase this subscription to the ratio of two to one, as individuals shall subscribe the [illegible] stock. It owns over half a million in the Wilmington and Weldon Road and I believe one half of the Raleigh and Gaston Road, besides large sums in other Companies, all of which are looked upon and were intended [illegible] North Carolina Works. Now I think it will be admitted that I shall stop within very reasonable bounds in assuming that the State's liabilities for Internal Improvements will in a very few years be [illegible]. It is already [illegible]. The taxes necessary [illegible] to pay only the interest of this debt, are [illegible]

[illegible]

I am persuaded however that even the taxes [illegible]

How is this hope to be realized? Most clearly by all North Carolinians showing themselves true North Carolinians in their support and use of all State works as far as practicable, in preference to those of our sister States [illegible] which might seriously impair if not entirely destroy their ability to meet the State's reasonable expectations.

Now, what is it that Mr. Boyd asks the State to do? Why, simply to demolish in the most effectual way, the only rational base upon which these expectations are built. He asks you to [illegible] which will render almost entirely [illegible] the gigantic and most praiseworthy works which the State at a heavy expense and with noble liberality, has so largely [illegible]. The Road from Danville to Greensborough, tapping the State [illegible] part of its greatly increasing productions, and will render worthless, the Wilmington and Weldon, the Raleigh and Gaston, the Atlantic and N. Carolina, a hundred and thirty miles of N. C. Central, and all other Roads and other works of similar character below Greensboro.' It will consummate, with the line it completes, the high road of travel North and South for all time to come, and will add the capping stone to what a fatal blindness seems to have prevented a former Legislature from perceiving, when it chartered that branch of the road which taps the State at Charlotte.

I ask you, therefore, gentlemen, if, in view of all these facts, you are prepared to grant the charter asked for by Mr. Boyd? That all these consequences will flow from it, if you do so, there cannot be even the shadow of a doubt. Has Mr. Boyd's Company a right to demand this charter? I answer most unhesitatingly no! If Mr. Boyd's friends will pay back to the State the seven millions which she has already invested, and will relieve her from her obligation for future responsibility, then, I admit, they would be in a condition to demand as a right, the corporate privileges they seek. Every thinking man will at once perceive, that it will require nothing short of this. What hardships will it work to refuse the charter sought by Mr. Boyd? Why it will deprive a few citizens of one or two counties of the privilege of having a Railroad at their doors! when not one of them is at this time more than twenty or thirty miles from the facilities offered by the North Carolina or the Danville Road. On the other hand, if the charter is granted, you not only sink the seven to ten millions of dollars which the State has invested, and is bound to invest, and saddle us and our children with overwhelming taxes for all time to come; but you scatter to the winds the millions which thousands of our citizens have embarked jointly with the State in her numerous projects of Internal Improvement, with the hope, reasonably entertained of some remuneration in the future.

I do not ask you, however, gentlemen, to view this question in any aspect in which it may affect individual right. I wish you to put it entirely on its chiefly proper footing, simply as a question of State policy—and, in this light, to ask yourselves, whether you are prepared for the sacrifices, which Mr Boyd asks at your hands, in granting a charter to the Greensborough and Danville Rail Road Company!

I have the honor to be, &c., W.

CAPTURE OF RUNAWAY NEGROES.—The Vicksburg Whig, of the 29th ult., says:—On Tuesday last, J. F. Powell aged about 20 years, of this county, was hunting in the woods, between Bovina and Big Black River, in company with two school boys, sons of Madison Stephens, when they found a camp of runaway negroes. Mr. Powell had no gun, but one of the boys had a double barrelled shot gun. Powell took the gun from the boy, and sent him to some of the neighbors for help. A negro made his appearance and proposed to give himself up, and offered to be tied, and approached the boys ostensibly for that purpose, but as soon as he was near enough he seized the gun and wrested it from the hands of Powell, and then knocked him down with it. He then fired the gun at the younger Stephens, the load passing through the crown of his hat, just grazing the top of his head. Stephens then ran, and the negro drew a horse pistol and knocked down Powell the second time. The elder Stephens hearing the gun, ran back, and he and Powell succeeded in conquering and securing the negro. Soon after two other large negro men came to the assistance of their comrade, and one of them attempted to shoot Powell with a horse pistol, but it only snapped, and the boys succeeded in securing them both and marching them to [illegible]

RUMORED BLOCKADE OF MEXICAN PORTS.—Advices received at New York from Jamaica by the Tennessee, state that the whole British fleet on this station had been ordered to hold itself in readiness to proceed to the Gulf of Mexico, for the purpose of blockading the Mexican ports.—The despatches conveying the sailing orders were daily expected.

From the Milton Chronicle.

RAIL ROAD MEETING.

A meeting of the citizens of Milton and its vicinity was held in Temperance Hall on Tuesday evening, [illegible] was called to the Chair, and [illegible] appointed Secretary.

[illegible]

The cost of a message by electric telegraph between the Crimea and London is said to be [illegible]

Hon. John Van Buren in a letter to a democratic committee in Boston, says that Gen. Scott voted for Mr. Buchanan.

A [illegible] Meeting [illegible] to incorporate [illegible] Female Seminary.
Nov. 27, 1856.

Oxford Female Seminary.

THE next session of this Institution will commence on Monday the 5th of January 1857, and close on Friday the 29th of May following.

Terms per Session—Board and Tuition in the English branches $60. Music on Piano or Guitar with use of Instrument $25; Latin and French, Extra, $10; Drawing $5.

SAML'L. L. VENABLE, Principal.
Oxford, N. C., Dec. 5, 1856.

SALE OF CITY LOTS.

MR. YOUNG ROSS, having failed to comply with the terms of sale for the purchase of lots Numbers 1 and 2 of the Stuart property, the said lots will again be offered at Public Auction on Friday the 26th, on the premises. J. Litchford Esq., will show the property upon application.

E. B. FREEMAN, C. & M.
Dec. 12, '56.

IN CARTERET COURT OF EQUITY, Fall Term, 1856.

Thomas C. Wallace, Adm'r de bonis non of Sarah Hatton, dec'd vs. Wm Pease Hatton.

It appearing to the satisfaction of the Court, that Wm. Pease Hatton, the defendant in this cause, resides beyond the limits of this State: it is thereupon ordered by the Court, that advertisement be made for six weeks successively in the Raleigh Register, notifying said defendant of the filing of this bill, and that unless he appear at the next term of this Court and answer this bill, the same will be taken pro confesso and heard ex parte as to him.

Witness, Benj. L. Perry, Clerk and Master in Equity of the Court of Equity for Carteret, at Beaufort, the seventh Monday after the fourth Monday in September, A. D. 1856.

BENJ. L. PERRY, C. M. E.
Nov. 28, 1856. w6w pd

STATE OF NORTH CAROLINA—CHATHAM COUNTY—Court of Pleas and Quarter Sessions, November Term, 1856.

Alexander Dowd, Adm'r of Richard Dowd vs. John Dowd and others.

Petition to sell Slaves.

It appearing to the satisfaction of the Court, that Cornelius and Alfred Dowd and Alexander, William, Richard and John Jenkins and Sawyer and wife, Emiline, are non-residents of this State: It is therefore ordered by the Court, that publication be made for six weeks successively in the Raleigh Register, a newspaper published in the city of Raleigh, for said non-residents to be and appear at the next term of this Court, to be held for the county of Chatham, at the Court House in Pittsborough, on the second Monday of February next, then and there to answer, plead, or demur to said petition, or the same will be heard ex parte and judgment taken pro confesso as to them.

Witness, Wm. P. Taylor, Clerk of our said Court, on the 2nd Monday of November, A. D. 1856, and of American Independence, the 81st year.

W. P. TAYLOR, C. C. C.
Dec. 3, 1856. w6w

STATE OF NORTH CAROLINA, CHATHAM COUNTY.—Court of Pleas and Quarter Sessions, Nov. Term 1856.

Alexander Dowd, vs. John Dowd and others.

Petition for Partition.

It appearing to the satisfaction of the Court, that Cornelius, and Alfred Dowd, and Alexander, Richard and John and Jenkins, and Sawyer and wife Emiline, are non-residents of this State, It is therefore ordered by the Court, that publication be made for six weeks consecutively, in the Raleigh Register, a news-paper published in the City of Raleigh, for said non-residents to be and appear at the next Term of this Court, to be held for the County of Chatham, at the Court House in Pittsborough, on the second Monday of February next, there and then to answer, plead or demur to said petition or the same will be heard ex parte and judgment taken pro confesso as to them.

Witness William P. Taylor, Clerk of our said Court, on the second Monday of November, A. D. 1856, and of American Independence the 81st year.

W. P. TAYLOR, C. C. C.
Dec. 5, '56. w6w pd