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SPEECH OF MR. WILSON, OF PERQUIMONS.

On the motion to lay the following Resolutions on the table, delivered in the Senate on the 10th of December, 1834:

1. Resolved, that the Legislature of a state, acting as the representatives of the people of said State, have a right to instruct their Senators in Congress, and a just vindication of the character of our political institutions requires that such instructions should be given whenever a Senator misrepresents the will of the State upon questions of national policy, or in times of public emergency.

2. Resolved, that the Hon. Willie P. Mangum, one of the Senators from this State in the Congress of the United States, be and he is hereby instructed to vote for extending from the recess of the Senate of the United States, the resolution declaring "that the President, in his late executive proceedings in relation to the public revenues, had assumed upon himself authority and power not conferred by the Constitution and laws, but in derogation of both."

3. Resolved, that his excellency the Governor of this State be requested to transmit forthwith to the Hon. Willie P. Mangum and to the Hon. Bedford Brown, one copy each of the foregoing resolutions.

Entertaining a hope that the Senate will lay aside these distracting and unprofitable resolutions, I rise, Mr. Speaker, to move you that they be laid on the table. Knowing that the debate in it be confined strictly to the motion, I will endeavour to abstain from the consideration of the resolutions, the postponement of which is the object of this motion.

If the remarks I may submit seem for a while to range from the motion, I hope for the indulgence of the Senate, and promise that before I conclude the relevancy of my observations shall be abundantly apparent. We are the agents of the people, and have assembled in this place for the purpose of executing the trust. Each one of us has a power of attorney from our constituents, wherein is set forth the sum and substance of our agency or duties. The list of duties inscribed on our powers of attorney varies accordingly as we come from different parts of the State.

Unhappily for the State at this time, several questions of a distracting nature, divide her citizens. The citizens of the western part of the State, believe themselves aggrieved by the existence of occurrences, which have sprung up among them since the adoption of our State Constitution, and which were not foreseen and provided for by our fathers in the creation of our fundamental law.

The east believing that no real grievance exists among their western brethren, and that the State Constitution cannot undergo any alterations, without hazarding its long tried and well known excellence, have hitherto resisted with great pertinacity all attempts at an alteration. The expediency of providing by law for a general system of internal improvement by the Legislature out of the public treasury—a scheme which has been zealously advocated by many of our most intelligent and estimable citizens in every part of the State, and one which has been opposed with as much zeal and by equal talents both in the east and west—a more equal and just system of taxation—these measures were openly discussed among our constituents in every part of the State previous to our late elections. These measures are to be found in the list of instructions of every Senator from his constituents. In my power of attorney, I am authorized and empowered to oppose, by all lawful and honorable means, the calling of a Convention, and I am authorized to oppose any and all amendments that may be offered or proposed to the existing Constitution. In terms equally as clear and binding, am I authorized and empowered to oppose all works of internal improvement at the sole expense of the State. I am instructed to use my best efforts to adopt a more equal and just system of taxation. On comparing my list of duties with those of intelligent gentlemen of the Senate from different parts of the State, I find they are authorized to advocate or oppose the same measures with myself, accordingly as their constituents may deem their interest to require. Now I will pause here, and make one single inquiry, and I desire each Senator to consider the question addressed directly to himself: Who among us was instructed to support or oppose these resolutions? I undertake to say that they were not heard of in more than three counties in the State, and even in those three they were not openly discussed among the people. There is a certain species of legislation which we have to perform here, and which follows as a matter of course, that is never talked of among our constituents. Such is the election of our officers; the judging of the election and qualification of our members; the pro-

viding for the current expenses of the government, &c. &c. These matters being inseparable from the existence of this body and the State, and from long usage adopted as standing business, have ceased to be agitated among the people.

What have we done? The Convention bill, upon which gentlemen from the west think the future welfare; if not their political salvation, depends—that bill, which they have, for so many years, so zealously contended; when passed into a law, would give them equal political rights with their eastern brethren—that bill which western gentlemen have for so many years so ably insisted, in the Assembly and before their constituents, would regenerate and re-invigorate our beloved State, and put her by the side, not only in political, but in commercial importance, of the most flourishing States in the confederacy—that bill which has for so many years agitated the whole State, convulsed this body, and cost our constituents so much treasure—although reported by the appropriate committee, and made the order for this very day upon the motion of the Senator from Burke, must now be laid aside, set at naught, to make a place for these political resolutions. Take up this bill when we may, although there may be a majority on either side, yet it will, and if properly considered, must take up much time. From the ground it covers, from its great importance, from the zeal of its advocates, from the firmness of its opponents, it must—it will require much time to be devoted to its consideration. Ought we not, then, to have entered upon its consideration at an early period as our organization would have permitted? To precipitate this measure, to run it through in a gallop, will be productive of errors and improprieties in the great fundamental law of the land. To delay, or retard the action of the Senate upon this bill, hazards its passage for the want of time, and, if ultimately passed, brings detriment to the people by the increase of the expenses of a long session. Are there no reasons why we should lay aside the consideration of these resolutions, and enter seriously upon those matters which our constituents have expressly authorized us to perform? The great Central Rail Road from Beaufort to the Mountains, designed to cover a country four hundred miles in extent—a project which its advocates believe will build up within our borders a great Commercial City, turn our swamps into fields and meadows, our barren plains into mulberry orchards and vineyards, and cover our hills and valleys and mountains with a happy, peaceful, orderly and independent yeomanry—a project which its opponents resist because it cannot be carried into execution without imposing upon the people enormous burdens, and without mortgaging the faith of the State—a project, believed by those who resist it, calculated to fill the land with wonders and cover the people with rags.

A bill for this scheme, visionary as I believe it to be, is now on our table, and has been made to give way for the introduction and discussion of these resolutions. It is fair to infer that this project, from the intelligence of its advocates, from their zeal, and from their numbers, cannot be with any degree of justice disposed of in any very short period. Is not this a strong additional reason why these resolutions should be laid on the table in order that we may act upon this bill, which is to be found on the list of our duties? A bill limiting the power of the judges of Courts of Record in inflicting punishment for contempt, designed to protect the citizen against the abuse of power—a bill subjecting money and legacies in the hands of administrators and executors, belonging to absconding debtors, to be reached by creditors in this State by attachment—a bill defining the duty of patrols, designed to instruct them how far they may punish slaves, and for the better government of our slave population generally. All these, with many other important public bills now on the table, are turned off as useless, in order to make room for these resolutions; which, immediately on their passage, if they pass at all, are to be sent to Washington City, and which, if discussed and sanctioned, can by no possibility benefit the State of North Carolina to the value of one blade of grass or one grain of corn. Then, I ask, why take up these resolutions? Why not proceed to act upon those matters which our constituents sent us here to act on? What have we done? Thirty days have we been in session, and not one solitary public bill has been passed. How shall we be able to face our abridged constituents, when we return home to give an account of our stewardship? That day will arrive when we shall be obliged to give a strict account. Let us, for a few moments, revert to our journal, and then stand up before a plain honest constituent at home, with a plain narrative of our proceedings in the Senate. We should be compelled to inform him that we met here on the 12th day of November, at 12 o'clock, a

Suppose our honest constituent to address that anxious enquiry to us, which every tax-paying constituent addresses to his Representative on his return home: What have you done for us? We met at the Governor's House in Raleigh on the 17th day of November, elected our officers, and organized for business. On Thursday we received from the House of Commons a message, proposing to elect a Senator in Congress immediately. Objections were raised to this course of proceeding, on the ground that it was usual, in electing the great officers of the State, to appoint a day at some distance ahead, in order that parties might bring out their candidates, and in order that their merits might be ascertained; but, sir, we held the election, and elected Mr. Bedford Brown the same day of his nomination. We were determined to despatch business, and save time and money. We wanted no idle talk. The next important matter before us, was the election of a Public Printer; and such was our determination to serve our constituents with despatch, that we elected Philip White without consuming time to put him in nomination! We then went on with the regular business. Here, I apprehend, in our narration to our constituents, modesty and shame will compel us to pause—nay rather to become silent; but, sir, our honest constituent, excited by curiosity, will repeat, in a stronger tone of voice, What have you done for us in the thirty days of your session already expired? Truth compels us to answer, we were engaged from day to day in divorcing husbands from their wives, and wives from their husbands—in legitimizing and altering names of bastard children—in restoring rogues, who had been publicly scourged at the whipping post, to credit. Such, sir, will be the account of a supporter of these resolutions. Here then is the whole journal up to this day. What honest constituent would not turn away from such a history of our proceedings with disgust? and yet there is not one of us who dare deny this to be a true account of our proceedings up to this day in the Senate.

Have we, then, stuck to our power of attorney? Have we been employed in the line of our duty? Have we been engaged in the performance of those things which our constituents sent us here to perform? When are we to do our constituents' business? Are all these, Mr. Speaker, not sound reasons why we should let alone these resolutions? Day after day we are told that our State is decaying—her agriculture declining—her young sons of promise and talents leaving her, to seek other and kinder States—her people migrating to the fertile West, not because they are tired of their parent State, but because want, hunger, famine, squalid poverty stares them in the face. To attest this truth, let any member of this honorable body but take his stand in the main street of this city for one day, and notice the passengers. Now are seen to pass by wagons, carriages, swarms of slaves led on by their enterprising owner, compelled by a barren soil, heavy State and county taxes, and by federal exactions, to leave his beloved mother State for a more fertile soil in the sunny south. Now the sturdy yeoman, whose broad shoulders, weather beaten countenance and shielded hands, at least in the strongest manner that it is not from idleness that he seeks a better home. And now a much more numerous class, led on by sun burned, gaunt looking husbands, driving carts miserably covered with barefooted wheels, drawn by half starved, unshod nags. Accompanying are their shrivelled, smoke-dried wives, their ragged daughters, and their half clad barefooted and bar-headed children. A horrid picture! but true to the letter. I have seen more than one caravan of this class since I have been in this city. Can we do nothing to enliven our agriculture? Can we do nothing to stir migration, to induce our people to stay with us?—the wealthy to ornament society—the yeoman to give stability to our institutions—and the poor to become useful laborers and citizens? Is it not our duty to make an effort to do something for these, and for the rest of our people? What advantage will they, or any other portion of our people, derive from a long discussion of these resolutions? At all events by attending strictly and despatching those matters which our constituents sent us here to perform with speed, we shall, in some small degree, relieve the people by lightening the expenses of this session of our Assembly, and thereby decrease taxation.

These resolutions have passed the House of Commons after eight days' debate, and after the expenditure of 6,000 dollars. Here I beg leave, Mr. Speaker, again to ask the Senate, and I desire each member to consider the question directly put to himself—what equivalent is the State to gain by these eight days, and what for these 6,000 dollars? The resolutions have already created a great excitement abroad and in the Assembly. The angry passions have been stirred up—blood heated, discord has gained pos-

session of the House of Commons; and if they be taken up and discussed here, I fear—awfully fear—that not only eight days more, and another six thousand dollars will be consumed, but that worse feelings and worse consequences will hereafter result from a further discussion of these wicked and blood-stirring resolutions. A plague of nine days' duration is said to have fallen from Heaven upon the Grecian camp before ancient Troy. The discussion which, for eight days past, has been going on in the other House, is a plague nearly as mischievous in its consequences as that which fell upon Agamemnon's host. I again ask Senators to aid in averting from this Senate and from the State this direful calamity.

These political excitements spread abroad through all the veins of the State with the rapidity of the circulation of the blood through the human system, poison the very fountains of social intercourse, dividing, in their mad career, houses, families, counties, and arraying old friends, sometimes brothers, at others, father and son, mother and daughter—nay even husband and wife, against each other. A politician will charge the whole of his family, friends, and sometimes the whole circle of his acquaintance, so highly with political matter, that the least touch will produce a shock, a convulsion throughout the whole chain. Such unfortunately is the situation of our State at this time, that our federal executive, in a fortnight's time, can charge full with political electricity the whole State. Seeing, therefore, that our legitimate business is to be neglected—the trust committed to us by our constituents abused and despised—seeing that great detriment will accrue to the people by the useless expenditure of time and money in the debate of these resolutions—seeing that they are to produce strife and discord, and banish from among us that concord and harmony which is so essential to sound legislation—I earnestly solicit the assistance of every member of this Senate to co-operate with me in putting away these mischievous resolutions.

I could give many other reasons, and sound ones too; but I shall content myself in making but a few more observations, and then conclude. We should endeavor, Mr. Speaker, at all times to spend as little time here as possible; but especially at this session. The ensuing will be one of the hardest years upon our people ever felt in North Carolina. On the sea board, the granary of the State, was raised only a very ordinary crop of grain. Throughout the whole State not a half of a crop of cotton. In the central part of the State, corn, the staff of life, is now actually scarce, while the stock is unfatted. In order to illustrate this fact, I have but to relate an occurrence that took place in this city the other night in the presence of a multitude of witnesses: At 2 o'clock in the morning was heard the terrific cry of fire! fire! fire! In a moment the whole city rushed to the place where the flames were seen and heard crackling towards Heaven. It was the kitchen of an old citizen. Contiguous to the kitchen was a small crib, containing less than fifty bushels of corn. The crowd manifested great solicitude for the preservation of the old gentleman's dwelling house, and the abode of comfort; but the old gentleman directed his whole efforts to the saving of the crib, and was frequently heard to cry out, in the most piteous and imploring strains, let alone my dwelling house, but save, gentlemen, for God's sake, save, save my corn and fodder. The contents of the crib were the reward of the culture of his exhausted soil in an unpropitious year. Should we, Mr. Speaker, in this hard year add to the burthens of the people by protracting this session sixteen days in the discussion of these resolutions? These sixteen days will cost the State 12,000 dollars. Instead of endeavoring to make provisions for our constituents, we are daily eating them up by increasing their burthens. Now, for one moment, let us inquire whether these resolutions are not mischievous in themselves? What are they? Disguise them as you will, their direct tendency is to flatter the vanity of the President, to disgrace one of our most distinguished men by displacing him from the councils of the nation, or to compel him to commit the horrible crime of perjury. Will their discussion make the State produce one more blade of fodder, or one more ear of corn, than would have been produced had these resolutions never been brought forward? Will the discussion of them bring honor or profit to the State? Will her character be elevated abroad by their adoption? Can we, by these resolutions, resuscitate our languishing agriculture, stay the tide of emigration from our State, build up a sound state of public and private morals, a wise and prudent administration of our laws? Will they ease our burthens, pay our taxes, make our roads good? Will their discussion and passage add to the dignity of the Senate, or to the reputation of any of its members? Then, I ask, if the State cannot gain, but

will be the loser by their discussion in this House—if the Senate cannot add to its dignity, nor any member to his reputation—why, why should we undertake to do that which the people gave us no authority to perform? In the spirit of good feeling I ask Senators to pause before they enter upon this distracting subject; for I fear before it is closed, if once commenced, we shall all have cause to regret its introduction. I wish, Mr. Speaker, to interfere with no man's pleasure, and if gentlemen wish to remain here, eating fried pork for breakfast, and dining on roast turkey, I hope they will be gratified in their taste at their own, and not at their constituents' expense. When we have finished these matters which our constituents ordered us, in our power of attorney, to do, and, in the language of the farmer, when we have cleansed the old ditches, trimmed up the hedge-rows, and repaired the fences of our beloved State, let us, without entering upon these political resolutions, which are intended to further the views and designs of office-seekers, return with clear consciences, clean hearts, and honest countenances to our constituents.

After Mr. Wilson concluded his speech, the Speaker put the question thus: "as many as are in favor of laying these resolutions on the table, will, when their names are called, answer in the affirmative; and those of a contrary opinion, in the negative." Doctor Mebane, the Senator from Bertie, having called for the yeas and noes:

Those who voted in the affirmative, are Messrs. Baker, Hartsman, Heard, Branch, Caldwell, Carson, Dora, Fairly, Harrison, Hagan, Kendall, King, Little, Lowry, McMillan, McQueen, McWilliams, Martin, Mast, Montgomery of Hertford, Mose of Pitt, Parker, Phelps, Sawyer, Sherrill, Shipp, Wellborn, Wilson—29. Those who voted in the negative, are Messrs. Arrington, Britain, Burns, Cooper of Martin, Cooper of Gates, Dobson, Durham, Edmonston, Edwards of Person, Edwards of Warren, Edmeston, Flynn, Flowers, Gava, Hawkins, Holm, Howell, Huxey, Kerr, Lindsey, Lockhart, McQueen, Moore, Mose of Greene, Staley, Spaight, Spencer, Stephens, Wilder, Whitaker, Whitehurst, Wyche—35.

And so the Senate refused to lay on the table the resolutions.

LEGISLATURE OF N. C. Wednesday, Dec. 31. SENATE.

Mr. Kendall, from the committee on Propositions and Grievances, reported unfavorably on the petitions to restore to credit Jas. Simpson, Joseph Wilson and Willis Alexander. Concurring in. Mr. Kendall, from the same committee, reported a substitute for the bill to prohibit hauling of seines or drag nets within two miles of the bars and inlets in this State; and recommended the rejection of the bill to repeal the act of last session, regulating lay days on Fryng Pan, in Tyrrell; upon which the first named bill was made the order of the day for to-morrow, and the last laid upon the table, and subsequently taken up and rejected.

Mr. Hawkins, from the select committee on the expenditures of the capitol, to whom was referred the bill to make an appropriation for completing the capitol in the city of Raleigh, reported the bill without amendment, and recommended its passage. [It appropriates the sum of \$75,000.] After ineffectual motions to amend and to lay the bill on the table, it passed its second and third readings, and was ordered to be engrossed. On the second reading the yeas and noes were taken, as follows:

Those who voted for the passage of the bill were Messrs. Arrington, Barn, Hartsman, Heard, Burns, Cooper of Martin, Cooper of Gates, Dora, Edwards of Pat, Edwards of Warren, Fennell, Flowers, Harrison, Hawkins, Huxey, Kerr, Lindsey, Lockhart, McQueen, Montgomery of Hertford, Mose of Pitt, Mose of Greene, Phelps, Sawyer, Spaight, Spencer, Stephens, Wilder, Wilson, Whitaker, Wyche—34.

Those who voted against its passage, were Messrs. Baker, Britain, Caldwell, Dobson, Durham, Edmonston, Fairly, Flynn, Gava, Hagan, Holm, Howell, Kendall, Little, Lowry, McQueen, McWilliams, Martin, Mast, Parker, Sherrill, Shipp, Wellborn, Whitehurst—25.

Mr. Montgomery, of Hertford, from the balloting committee for one Trustee of the University, reported that Pleasant W. Kittrell was duly elected. The following engrossed bills from the other House, were read the third time, passed and ordered to be engrossed: To quiet the titles to certain lands in this State; to amend the charter of the Cape Fear Bank; and to authorize the County Courts of Burke and Yancey to appoint Commissioners for laying off roads.

Bills presented.—By Mr. Edmonston, a bill to authorize a subscription on the part of the State to the capital stock of the Oronaluty Turnpike Company. By Mr. Beard, to incorporate the Pioneer Mills Gold Mining Company, in the county of Cabarrus. These bills were read the first time and passed.

The resolution from the House of Commons, proposing to adjourn sine die on Monday next, was laid upon the table—31 to 23.

HOUSE OF COMMONS. Bills presented.—By Mr. Hay-

wood, to incorporate the North Carolina Bible Society. By Mr. Clark, to alter the time of holding the County Courts of Beaufort. By Mr. Lindsay, authorizing the election of Constables in Greensborough and Jamestown, in Guilford County. By Mr. Bell, to repeal the act of last session for the better administration of justice in Carteret. By Mr. Manney, to prevent Innkeepers, &c. from selling spirituous liquors to the non-commissioned officers and soldiers of the United States army. The last bill was rejected—the others were read the first time.

Mr. Battle, from the select Committee to whom was referred the memorial of John Brown, agent of the devisees of William Cathart, reported against the expediency of any legislation on the subject. Concurring in.

The Speaker laid before the House the following communication from Romulus M. Saunders, Esquire:

Raleigh, Dec. 31st, 1834. Sir: Whereof accepted from the President the appointment of Commissioner, under the act of Congress for carrying into effect the Convention between France and the United States, I had no thought I was thereby violating the Constitution, or any law of the State. But as the House of Commons, by its vote of yesterday, resolved, that the office of Attorney General, which I have had the honor to fill, is vacant in consequence of my acceptance of the said commission, I feel impelled, by a sense of propriety and self-respect, thus promptly to signify my acquiescence in that determination. This I feel at liberty to more readily to do, as neither the preamble or resolutions adopted by the House, or any thing urged in the discussion, ascribe to me any moral offense, or any dereliction of duty in the discharge of the business of the office. Whatever, therefore, may be my own views in regard to the matter, I am compelled to recognize this as the legitimate expression of the opinion of a majority of the most numerous branch of the Legislature, and as such, I am unwilling to trouble the Senate with any action upon the subject. To avoid any future difficulty, or embarrassment, I hereby tender this as my resignation of the office of Attorney General of the State. I have the honor to be, With due respect, Your obedient servant, R. M. SAUNDERS.

Hon. Wm. A. ALEXANDER, Speaker of the House of Commons

The bill concerning a Convention to amend the Constitution of the State, was read the third time and passed 66 to 62, and sent to the Senate for concurrence.

—Messrs. A. H. Alexander, Allison, Barringer, Bedford, Bell, Black, Brandon, Braswell, Brown, Brummett, Cannon, Clement, Costen, Craig, Hayton, Hockley, Dudley, Fleming, Foustes, Garrett, Graham, Gantt, Gwyn, Hancock, Hawkins, Hartsman, Hartley, Haywood, Henderson, Henry, Hoke, W. Horton, J. Horton, Hutchison, Iron, Jordan, King, Kittrell, Latham, Latta, Lintner, Lusk, Lundermilk, Mauls, Perkins, Martin, McNeil, Newsum, Oakes, Pankins, Poinsett, Potts, Sewell, H. Smith, J. S. Smith, Stockard, Tatum, W. Tatum, W. Tatum, Waight, Weaver, Whitefield, Jacob Williams, J. Williams, Wheeler, Ziegler.

—Messrs. Arrington, B. H. Alexander, Baker, Battle, Blatchford, Bubbie, Bragg, Bray, Bynum, Byrum, Carter, Clark, Coor, Crump, Daniel, Devereux, Edwards of Pat, Edwards of Warren, Frink, Hager, Harrison, Hogler, Howard, R. Jones, W. Jones, Johnson, Kean, Lee, Long, Lyon, Martin, Matthews, Matteson, Munk, Mullen, McQueen, McLean, McTherson, M'Nacken, Outlaw, Perry, Potts, Powell, Riddick, Register, Riebeck, Sanders, Slade, Sloan, Southwell, S. Smith, Swanner, Swindell, Taylor, T. H. Tomlinson, Warren, Welch, Wiley, Williams of Greene, Williams, son.

The bill to repeal the act of 1833 directing the manner in which Constables shall be appointed in this State, so far as regards the county of Currituck, was read the second time and rejected; as was also the bill to restore George B. Greer to credit.

The engrossed bills, altering the boundaries of the Burke Militia, and legitimating Jacky Ann Morning, were read the third time and ordered to be enrolled.

On motion of Mr. Outlaw, Resolved, That the Committee on the Judiciary be instructed to report a bill, providing all laws authorizing divorce, or any cause subsequent to marriage, should they deem it expedient.

Thursday, Jan. 1, 1835. SENATE.

Bills presented.—By Mr. Phelps, to amend part of the first section of an act, passed in 1833, to authorize certain persons therein named to raise by lottery six thousand dollars for cutting a canal in Washington county. By Mr. Bateman, concerning a public road leading from Columbia, in Tyrrell county, to Plymouth. By Mr. McQueen, amendatory of an act authorizing the citizens of the town of Haywood to appoint commissioners. By Mr. Spaight, to authorize Thomas J. Pasture, of Craven county, to keep a ferry in said county, and for other purposes. By Mr. Wellborn, to repeal the act of 1833, concerning the Wilkes county volunteer artillery company; and by the same, to appoint commissioners to run and lay off the road from the foot of the Laurel Hill to the top of the Blue Ridge at the Ashe county line, &c. These bills were read three times, passed, and ordered to be engrossed, except the last mentioned, which I passed its first reading, and was ordered to lie upon the table.

Mr. Sawyer, from the committee on the Judiciary, to whom was referred the bill to regulate attorneys' fees and State tax fees in the county of Washington, reported the same with a recommendation that it be passed into a law.

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