giving his vote on the resolution for the adjournment. No such feeling ever entered his bosom. Mr. R. argued in favor of the adjournment, as a constitutional measure.

Mr. GATEWOOD claimed the indulgence of the Senate. He said the discussion had taken a wide range. That this question of the Bank, should have come before the Senate, excited his surprise and astonishment. He did not know as Senators concurred with him, but with him the resumption of specie payments by the Bank had nothing to do with the adjournment.—The Bank could not be affected by that adjournment. The suspension of specie payments was legalized until the termination of the December session. He had conversed with distinguished jurists on the subject; and they all concurred with him in this view of the case. The law referred to the termination of the constitutional session. He was astonished to learn that the Bank had resumed. Mr. G. declared that he was opposed to a national bank; and he considered that those who were opposing the State Bank system, were acting against the interests of the State. But he was astonished to find on the first day of this session, that the Bank had set herself up as a monarch to control the action of this Legislature. He abhorred the movement. He was not opposed to State Banks; but he was opposed to any movement of the Bank which was intended to drive 500,000 people into any measure. He repeated, that he was a friend to State institutions if they acted rightly; but sooner than see this State controlled by Banks, he would see it sunk into the Gulf of Mexico. Gentlemen forget those they have to deal with. But it will yet be seen whether the people will submit to the dictations of a junto which control that institution.

2 o'clock, P. M.

Resolved, by the House of Representatives, the Senate concurring therein, That two Senators on the part of the Senate and three on the part of the House, be a committee to wait on the Governor and inform him that the two Houses are organized and ready to proceed to business.

Resolution concurred in.

On motion of Mr. SNYDER,

Resolved, That the unfinished business of the last session be placed on the files of the present session in the order it stands on the files of the last session.

Mr. SNYDER argued the propriety of this case by the practice of the Congress of the United States.

Mr. BAKER offered the following amendment—"And that the same disposition be made of the unfinished business of 1839 and '40."

Mr. SNYDER was not prepared to go that far. He contended that the business of the 1st session of the 12th General Assembly could be brought into a succeeding session of that General Assembly, but not from another General Assembly.

Mr. BAKER said that he had understood the gentleman from St. Clair to say, that business from one Congress was carried into another—which he claimed as a precedent.

Mr. HACKER could not vote for resolution or amendment. The gentleman from St. Clair had brought up the rules of Congress as a precedent, he thought that Congress had pursued a different course. Congress had a committee on unfinished business. We had no such committee. What was the duty of that committee? It was to place on file all bills which had not passed Congress. When a member wished, he could call upon the committee for a bill on the files. These bills had to be read a 1st, 2d, and 3d time. The object of calling for the bill was for the purpose of saving labor. No porallel can be drawn in the two cases. Congress consists of two sessions, and there might be a propriety in bringing up business which failed in the 1st, in the 2d session. The constitution decides clearly, that bills shall be introduced in each branch of the Legislature, and be read three several times, except under extraordinary circumstances, before they become laws. Gentlemen had argued themselves into the belief that this was a new session of the Legislature. If it was so, we must begin our business as new. He called Senators to go back to our own legislative history. There was no precedent in our legislation to justify the proposed course. We have had ingenious gentlemen in the Legislature, but no such project was ever before attempted. Now suppose this resolution to succeed, what is there so good in the action of the last legislature that they would wish to reach? Nothing would be gained. Gentlemen were taxing their ingenuity to drive some members of this Senate into positions which they do not wish to occupy. He was against any novel proceedings of this character.

Mr. SNYDER had no desire to drive gentlemen into new positions—slippery as they may be, and whom a straw would move. The gentleman had misquoted the constitution. The constitution provided that bills should be read three times in each House—not in each session. He was for adapting rules to circumstances.

Mr. GATEWOOD would vote for the resolution but not for the amendment. He had compared the constitution of this State with that of the United States. He was informed that the unfinished business of one session was carried into another session of the same Congress. The constitutions were alike, and if Congress has the power to do so, we have the like power.

☞Mr. HACKER.—The gentleman from St. Clair says that I may take any course I please. I had made up my mind to that course long ago. I shall act independently. I wish to reply a word to the gentleman from Gallatin. I stated that on an examination of the Journals of Congress, I found that Congress had a committee on unfinished business, and that when any bill was called for it was brought forward by that committee, but that it was required to pass through its regular course. Mr. Hacker asked the ayes and noes on the resolution. Amendment lost.

Mr. RICHARDSON moved to amend the resolution by striking out so much of the resolution as provided that the unfinished business should be placed in the same stage that it occupied in the last session.

Question taken by ayes and noes—amendment lost, 7 to 21.

Mr. MONROE offered a resolution calling upon Gen. Thornton for information in relation to certain sales of State Bonds by himself and R. W. Young, and J. Reynolds, and what disposition had been made of the avails.

Mr. SNYDER was in favor of the resolution. It was a call upon a proper officer and the information was desirable. He was for calling officers to account.

Resolution adopted.

Mr. RALSTON offered the following:

Resolved, That the Governor, Canal Commissioners and other public officers, be required to communicate such information as was called for at the late session, and which for want of time was not furnished.

Adopted.

Mr. HERNDON offered the following:

Resolved, That the Cashier of the State Bank be requested to furnish a list of the officers of the State Bank and persons in their employment, and their salaries.

Mr. GATEWOOD moved to lay the resolution on the table.

Mr. HERNDON thought that the resolution should be passed immediately. The people were interested in knowing. It was important that we should know immediately the salaries paid those persons.

Mr. GATEWOOD called the gentleman to order.

Mr. HERNDON never interrupted gentlemen himself—he did not interrupt gentleman to-day when he was out of order.

Resolution laid on the table.

Bill of the Senate, which come from the House with an amendment to provide for the future manufacture of salt at the Gallatin Salines. Amendment concurred in.

Adjourned.

HOUSE.

MONDAY, DEC. 7, 1840.

At half past 10 o'clock the House was called to order, by its former officers.

On motion of Mr. CARPENTER a resolution was adopted to inform the Senate, that the House was organized and ready to proceed to Legislative business.

A joint resolution appointing a committee of three from the House and two from the Senate to wait upon the Governor and inform him of the readiness of the two Houses to receive any communication he might be pleased to make; adopted.

Mr. TURNEY offered a resolution, that the unfinished business of the last session of the Legislature be taken from the files, and placed in the same stage of forwardness in this session of the Legislature, that it occupied at the adjournment of the former session.

Mr. LINCOLN demanded the ayes and noes.

During the call several members, rose to explain, or asked to be excused.

Mr. CARPENTER asked to be excused. It was certainly desirable to take this course, but he was not prepared to say it was proper; excused.

Mr. ORMSBEE asked the same privilege. He was not prepared to say the resolution was proper; excused.

Mr. LINCOLN would state why he had called the ayes and noes on the resolution. If it were a fact that there was no illegality in the proposed measure, then it was certainly desirable on the grounds of expedience, that the resolution should be adopted. But our constitution had provided that every bill should be read three times on three different days, unless three-fourths should dispense with the rules, before it became a law. Now, was it not a matter of serious doubt whether this House could take up a bill which had been twice read during the last session and by reading it once now, pass it into a law?

Mr. MINSHALL explained. He believed it unconstitutional, and should therefore vote against it.

Mr. WEBB said he would give an additional reason why this resolution should not be adopted. We had no reason to believe that the Senate would take the same short cut to business, and the consequence would be, that we should take Senate bills from our table and pass them into laws without the concurrence of both Houses.

Mr. PECK said it had been decided over and often that a court could not go behind a law to ascertain how it became a law. This he thought a sufficient answer to the alledged illegality of the laws, which would be affected by this resolution.

The resolution was adopted—ayes 42, nays 40.

Mr. PARSONS offered a resolution instructing the door keeper to provide seats in the lobby and gallery for spectators; adopted.

Adjourned to 2 o'clock.

AFTERNOON, Dec. 7.

Mr. MURPHY of Perry moved that the rules of the special session be adopted; agreed to.

Mr. LINCOLN asked and obtained leave to introduce a bill to provide for the interest on the public debt—the same heretofore offered by Mr. Lincoln—read twice and referred to the finance committee.

A Senate bill to provide for the manufacture of salt, was read and passed—ayes 49, noes 46.

Mr. MINSHALL on demanding the ayes and noes, said he should vote against it; not because he knew of any thing objectionable in the bill itself; but he should consent to the passage of no bill which had been read but once. It was unconstitutional.

A joint resolution from the Senate to elect three suitable persons to revise the laws, was referred to the Judiciary committee.

Mr. PECK moved that the House now resolve itself into committe of the whole, on the contested election from Peoria; agreed to—Mr. English in the chair.

After some consultation between Messrs. Hardin and Peck in relation to some further testimony expected to-morrow, the committee rose, reported, and obtained leave to sit again.

Certain resolutions offered some days since by Mr. Kitchell having been referred to the committee of the whole,

Mr. KITCHELL moved that the committee be discharged from the same—agreed to.

On motion of Mr. MCCLERNAND, the resolutions were laid upon the table.

Mr. PECK moved to take up the bill, to provide for the interest on the public debt; which was not agreed to.

Mr. TRUMBULL said the bill, which had been introduced to raise the means for paying the interest on our public debt, did not specify upon what debts, interest was to be paid. He desired to ascertain the sense of the house, whether they intended that the money should be applied to upon contracts which had never been authorised—he differed with some genrlemen on this floor as to the means of sustaining our credit—he did not think our credit was to be sustained by paying what we did not owe—an individual to act thus, never could sustain his credit.

On motion of Mr. MINSHALL the resolution was referred to the Judiciary committee.

Mr. BENTLY introduced a bill repealing the internal improvement system, and providing for a sale of the works at the discretion of the Governor—read once.

Mr. PECK introduced a bill to provide for the interest on the public debt—the same heretofore introduced from the finance committee—read twice.

Mr. HARDIN offered an amendment providing for an additional tax of one-fifth of one per cent. to be raised for paying the interest on the bonds hereby hypothecated, and those heretofore sold.

Mr. HARDIN said he was in favor of coming up to the measure at once. On the adoption of the internal improvement system, we had been told that the people were never to be taxed a cent—that premiums on bonds, the sale of hydraulic privileges, bank stock and other means, would always be sufficient to meet this interest, witoout resorting to the people. All these splendid promises had failed us, with the single exception of bank dividends; and by our "special session" we were in a fair way to use that up too. This was the only resort now left us, and why shall we shrink from coming up to it? We have been told by the Governor and by others of high authority, that this was the only democratic method of raising money. Why then defer it? It had been remarked by some, that we should keep this matter off for two years, when probably we should give place to others, and thus avoid the responsibility of the measure. He did not desire to creep out of responsibility in this way, although he might not be a member of the next Legislature. Some such step as this must be taken to sustain our credit. This would do more to effect that object than forty such bills, as that proposed by the gentlemen from Cook. When our bonds are offered in market, the first enquiry is, how is the interest to be paid? They desire to see something upon which they can rely. We had been feeding our creditors upon promises long enough, What would be thought of a person whose only plan of paying his note was by giving another of the same character?

Mr. MUNSELL spoke against the amendment and the original bill—he never would consent that our bonds should be forfeited at less than their par value. If we could sell our bonds at par, he would consent.

Mr. DODGE was induced to believe that the only object of some of these amendments, was to retard the bill—the cloven foot had made its appearance. This bill was only intended as an expedient to save our faith in January. After its adoption the Legislature could devise such means for redeeming these bonds as it thought best at their leisure.

Mr. MINSHALL remarked that it would be perceived, the bill and amendment involved the privilege of increasing our taxes—and he never would consent that his constituents should be subjected to heavier taxes, until by increasing our banking capital or some other plan, to afford them the means of paying them. As to the imputations upon his motives for opposing the bill, he neither regarded them nor the source from whence they came.

Mr. PECK moved to lay the amendment on the table.

Mr. HARDIN moved to adjourn—carried, ayes 46, noes 37.

SENATE.

TUESDAY, Dec. 8.

On motion of Mr. MONROE,

Resolved, That the Governor be again requested to inform the Senate whether the loan made by the Fund Commissioner to the Canal Fund, of 300,000 dollars and interest, had been paid.

On motion of Mr. PEARSON,

Resolved, That the committee on Finance be instructed to inquire into the expediency of repealing all laws which require the monies of the State to be deposited in the State Bank; and to repeal the law which authorises interest on auditor's warrants.

On motion of Mr. WOOD,

Resolved, That the Board of Public Works be required to inform the Senate the amount of scrip which had been issued by them, and on what account issued.

On motion of Mr. WOOD,

Resolved, That the Board of Public Works be requested to inform the Senate the number of days they have been employed in the service of the State since their appointment.

Mr. MOORE offered a resolution which was adopted, asking for various information in regard to the sale of State bonds, State debts, &c.

Mr. MOORE offered a resolution, that the two Houses go into the election of Attorney General on Wednesday evening, which, subsequently, on his motion, was laid on the table.

Mr. PEARSON asked leave to introduce a bill for the sale of Canal lands and for leasing water power, to raise means to pay the interest on Canal debts. Leave given; bill read and ordered to a second reading.

Mr. HAMLIN asked leave to introduce a bill for an act to legalize the assessment of property in the county of Peoria. Leave given; bill read.

Mr. STAPP asked leave to introduce a bill for an act for collecting the State revenue Bond, Green, and other counties. Leave given; bill read and ordered to a second reading.

Mr. RALSTON asked leave to introduce a bill for an act to provide for vacating the seat of Justice in Adams county. Leave given; bill read and ordered to a second reading.

Mr. STAPP asked leave to introduce a bill for an act to fix the compensation of members of the General Assembly at two dollars a day, and for fixing the compensation of the officers thereof. Leave granted; bill read and ordered to a second reading. Yeas 17; nays 16.

Mr. MARKLY asked leave to introduce a bill for an act to extend the jurisdiction of Justices of the Peace. Leave granted; bill read, and ordered to a second reading.

Mr. SARGENT asked leave to introduce a bill for an act to fix the salary of the Governor of this State. Leave given; bill read once, but the Senate refused to order the bill to a second reading. Ayes 15; noes 20.

Mr. WITT, from the joint committee of the two Houses, who were instructed to wait upon the Governor, and inform him that the two Houses had organized, and were ready to receive any communication he had to make to them, reported that the committee had performed the duty assigned them, and that the Governor had informed the committee that he had no communication to make, but would refer the General Assembly, for information of his views in regard to matters of public interest, to the communication he submitted at the last session of the General Assembly.

Mr. GATEWOOD moved that the report be laid on the table, and that —— copies be ordered to be printed.

The motion was decided, and the report laid upon the table.

Mr. GATEWOOD renewed his motion to print.

The Speaker asked him to reduce the motion to writing: which was done.

Resolved, That copies of the report of the committee appointed to wait upon the Governor, be ordered to be printed.

Mr. PEARSON wanted to know Mr. Gatewood's reason for the printing.

Mr. GATEWOOD cared but little whether the Senate passed the order or not, except as a matter of technicality. It was now generally conceded that the decision of the Legislature, in regard to the late adjournment, was right. It was therefore expedient and proper that the Governor, as is usual at regular sessions of the Legislature, should communicate to them by message. The course adopted on the present occasion, was not respectful to the Senate. The Governor had chosen to send a verbal message by the mouth of the committee. This was a novel proceeding—never had occurred before, under the circumstances, and he hoped never would occur again. If the Senate chose to submit to such a course, they could do so; but he wished an expression from the Senate on the subject. He did not object to the introduction of his last message; but it should have been communicated in a different manner. The Senate had, in this case, treated the Governor with all proper courtesy and respect, and they had a right to expect the same course of conduct from him. He wished the report printed, that the people might know the manner in which a respectful call from the Senate had been answered by the Governor. He moved to fill the blank in the resolution with 500 copies.

Mr. PEARSON said, that the Governor, except at special sessions, was not required to send a message to the General Assembly. He thought the proceeding on the part of the Senator from Gallatin, had arisen from the ill will he bore toward the Governor.

Mr. GATEWOOD replied, that all the ill will he bore him, was in his place as Senator. He had no private feelings of this character. His ill will arose from his opinion of the Governor's public acts as a public officer. His administration was one of imbecility and uselessness. In the matter before the Senate, he viewed the conduct of the Governor, as a direct contempt on his part upon the representatives of the people; and he should say so in his place.

Mr. RALSTON regretted such expressions by the gentleman from Gallatin, in relation to his excellency.

Mr. GATEWOOD—"I was called out."

Mr. R. referred to the complaints that the last message had not given a full statement of the financial condition of the State: he said the circumstances of the case prevented the Governor from doing it. He had not received the proper reports from the Canal Board, the Board of Public Works, the Fund Commissioners, the State House Commissioners, or the Auditor of Public Accounts. The Governor had made a luminous communication at the commencement of the special session. No constitutional provision required him to communicate a message at the commencement of this session. He had been called upon by a committee on the subjoet, and he had answered that he had no communication to make to the General Assembly.

Mr. HACKER. The discussion had taken a wide range. He would offer a few reasons for his action on this subject. He had a right to look at the acts of the Governor occasionally. The gentleman from Will had gravely asserted that the Governor had not time to write a message. He could not think so; and at least the Senate had a right to expect a decent communication from that officer. The same gentleman had asserted that the gentleman from Gallatin bore the Governor ill will. The answer had been sufficient on that point. He had come to the conclusion that the people down South had been disappointed in the course of the Executive. Have they not a right to complain? The gentleman from Adams is sorry to hear the expressions of the gentleman from Gallatin. Mr. H said he was sorry—his constituents were sorry—the whole south was sorry that there was so just a cause for them.—Where did the Governor obtain the votes which elected him? Was it not in the down trodden south?—Upon what condition did he obtain those votes? Upon those conditions he pledged himself to sustain in his hand-bill We have still that hand bill. We knew the principles he avowed in that publication in regard to the interests of the South—not one of which he had sustained since the People of the South placed him in the Executive chair. But we are told that we have no right to complain! If his Excellency in his hand-bill had said that he was opposed to the Southern interest of this State, he never would have been Governor. He said this in his place; in behalf of his constituents and the South, he declared that such were the facts. The gentleman had lashed all the officers of the State to screen the Governor for official neglect. Where did the Governor get the power to sell State Bonds as he had done? It almost appeared that we had no right to call upon him for information. But we have a right; and if gentlemen chose to draw us into a discussion, we shall not hesitate to speak of things as they are.

It was not that he wanted a message from the Governor—he cared little about his messages—they contained no consolation for his constituents; but when we had politely, in the manner practiced by our legislatures, called upon the Governor, we were at least entitled to a bow in return. When the Senate asked him if he had any communication to make to them, his reply was, go back to the Senate and tell them to study the message that I sent to the last Legislature. And even this message was not honored with his signature. He wanted to see his signature as he saw it upon his hand-bill, when he declared himself the friend and supporter of the Internal Improvement system.—But he had changed. The Canal was now his pet. State Bonds must be sold to carry it on—and all other interests must be lost sight of to subserve that interest. The South was never thought of, except when her votes were wanted. They were then told that the Governor would stand by them; but examine his messages and you will not find a word in them in favor of the interests of his constituents, or of the South.

Mr. RICHARDSON thought if the Senate had been treated with disrespect, they should adopt some measure to mark their disapprobation. He believed the opposition to the Governor here manifested, to arise from other causes. This is not the time to discuss the pledges which had been given by the Governor. Mr. R.'s constituents were satisfied with his course. Every system of policy should stand or fall by its own merit.

Mr. GATEWOOD explained. He had not expressed his views of the acts and course of the Governor without reflection; though these expressions might not now have came from him, but for the act of the Governor under notice. He wished, instead of expressing his disapprobation of the conduct of the Governor upon the Journal of the Senate, to send this communication to the people, to shew them that the Governor had refused to send a message to this regular session of the Legislature. The course he proposed was in time, and in order, and less objectionable than placing a resolution upon the Journal of the Senate on the subject. The Governor had chosen his friends—he drew a distinction between the ragged people of the South and the rich dressed people of the North. It is right that he should be told of it—and told that the people are apprised of it—by his advisers, if he has any. The disposition manifested to subjugate the people of the South to the interests of the North, would not be submitted to. He would speak out on the subject. The principal portion of the Governor's message, which had been referred to by the report of the joint committee, was furnished by the Fund Commissioner. It would have taken but little time to have prepared something to gratify and soothe the disappointed feelings of the South while he was favoring his pet in another portion of the State.—The immense debt of this State, continually referred to, was designed and intended to dampen every hope of the South—the immense debt which had been represented to hang over our State, was intended by the Governor to extinguish every prospect of the Southern portion of the State.—There was a time when the Canal debt was used for a similar purpose—to defeat that enterprise. The Governor does not now regard that debt as an obstacle to its completion. In his friendship for that work, he does not even tell us if the 350,000 dollars, which had been loaned to the Canal from the Internal Improvement fund, had been paid. But this profound financier, while speaking and dwelling on thousands and millions, forgets such items. He dwells on these sums for the purpose of impairing the energies of the country.—Mr. G. had proposed this motion to print, as the most direct mode of disapproving of the course of the Governor; and of showing that this is the first constitutional session of the General Assembly to which the Governor of the State has refused to communicate by message.

The Speaker said the motion was to lay on the table.

Mr. HACKER wished to know if gentlemen wished to lay the resolution on the table to get rid of it. If so, he wished a vote to show who were for sustaining the Executive of the State.

Mr. ALLEN intimated that his object was to get rid of it—he was opposed to the printing.

Question taken, by yeas and nays—nays 18, yeas 20.

Senate adjourned.

HOUSE

TUESDAY, Dec. 8.

Mr. DENNY presented the petition of certain citizens of Knox county, praying the incorporation of the town of Gatewood.

Mr. DRUMMOND presented the petition of certain citizens of Davidson, Rock Island county, for a similar object—referred to a select committee.

Mr. KELLY offered a preamble and resolution, calling upon the fund commissioner for detailed information in regard to our State debt, how many bonds sold, under what contract, to whom, and the present holders so far as is known, upon what bonds no consideration had been received, &c., concluding with a declaration that the State would pay no interest, where the contract was unlawfully entered into, and no consideration received.

Mr. PECK objected to the resolution—it assumed grounds entirely too broad—there was a medium proposition, he had seen in the gentleman's hands from Sangamon, (Mr. Lincoln,) which he thought proposed the proper couse for us to pursue. We had sent our agents abroad with power to sell bonds—had made these bonds negotiable by delivery, and given to the transaction every appearance, in which an innocent purchaser might confide, and now when these bonds, were doubtless most of them in the hands of innocent holders, it was proposed to invalidate the contract, and pay no interest on such debts. But there was another difficulty in the way. How was the fund commissioner to know, what bonds were sold in violation of law, or in whose hands they were? It was sufficient if we found these bonds in the hands of original holders, to restrain the payment of interest on them, and this was as far as he would go The power to sell bonds on a credit, which was the alledged illegality of the sale, had never been doubted until recently. Under the same power the agents of New York, Michigan and Indiana hath sold their bonds on a credit, and no objection had been made.

Mr. KELLY said he did not offer the resolution with a design of interfering with the bill to provide for the interest on our public debt, so far as that interest was due on our honest debts; but he was conscientiously opposed to paying interest when we had received no consideration.

Mr. TRUMBULL was rejoiced to see this resolution offered, and hoped it would be more successful than one offered by himself a few days since, to elicit the same information. He had offered such a resolution asking for information concerning each contract; but to his surprise the answer was that our debt amounted to about five millions of dollars on bonds sold. It might be that his resolution was not specific enough, that it was not understood by the fund commissioner; but this could not be misunderstood. It had been asked, how the fund commissioner was to know, what bonds had been sold in violation of law? It appeared that the bonds sold to Delafield were numbered, and he supposed this was the fact in regard to them all; if so it would be easy to make the discrimination again. It had been asked shall we not pay these bonds in the hands of innocent holders whether they had been sold in violation of law or not? He held that we were not bound either legally or equitably to pay these bonds sold in violation of law. There was no principle of law better settled, than that when an agent transcended his authority, his principal was not bound. The parties who received these bonds, were parties to the fraud—if they were innocent let them resort to the first purchasers; this was the remedy.

Mr. PECK replied, contending that the State was bound in good faith and morals to pay those bonds where they had been transferred to innocent purchasers—our agents had acted in accordance with the intention of the Legislature.

Mr. KITCHELL took issue with the gentlemen from Cook, as to the intention of the Legislature. The Legislature never intended, that these bonds should be sold on credit—this was apparent from the provisions requiring the bonds to be sold at par;—he did not believe we should pay bonds out of which the State had been defrauded. If the declarations of the fund commissioner, were to be believed, Delafield was a swindler, and intended to swindle the State when he contracted for the bonds. No one could contend, that if these bonds had been stolen from the State that we would be under any obligation to pay them. But swindling was as bad as stealing, and was so punished by our laws, and he contended, we were under no greater obligation in the one case than the other.

Mr. GILLESPIE said he was in favor of paying all debts which we were legally bound to pay. These contracts were made under the authority of a public law. The commissioners went abroad with this authority in their hands. The purchasers of these bonds, must have examined this authority, or were to blame for not doing so. This law was notice to the world of the extent and scope of the power of these agents, and if in violation of this law, purchasers had taken these bonds, they should suffer the penalty of their conduct. We were involved sufficiently by our just debts, and duty to our constituents required, that their burthens should not be augmented by requiring them to pay such debts. But he was willing to pay every debt lawfully contracted, whether a consideration had been received or not; nay, he was willing to pay wherever we had received a consideration, whether the contract was lawful or not. But he was not willing to pay, where the contract was illegal and nothing had been received upon it.—As had been remarked, if there bonds were now in the hands of innocent holders, their remedy was upon the original purchasers. It was an old and correct maxim "that individual rights should yield to those of the public." It was much more proper for them to pursue this course than for the State; for it was impossible for the State to know, whether they had had notice of the fraud or not.

Mr. DAUGHERTY moved to amend, by striking out the resolution and inserting one, calling upon the fund commissioner for information as to the number of bonds sold upon which no payment had been made, to whom sold &c.

Mr. DAUGHERTY said he believed this embodied all particulars in regard to which gentlemen desired information,—as to the propriety of this information he had nothing to object, but to the measure which it was proposed to predicate upon this information, he had a most serious objection.

What was the question now proposed, but whether after having sent our agents abroad provided with the power of a sovreign state, to make these contracts, should now give the lie to our promises. How far the gentlemen might feel disposed to seize upon the prejudices of their constituents, to justify such conduct, he was not prepared to say; but he felt the obligation resting upon himself, as a representative and as a citizen of a sovereign state to act honestly, and with reference to the honor and future character of that state. What would be the opinion of the world? Yesterday our agents were in Market, with the promise of the State to pay $1000 to the holder—to-day we give the lie to that promise, and teach mankind the folly of relying upon us in future.—This was the inevitable consequence—we should be distrusted through all coming time. If our agents had transcended their authority, here was the place to punish them—let us not wreak our vengeance upon the heads of the innocent holders of our obligations. For one he should never be guilty of degrading the character of a sovereign state by pleading infancy, the statute of limitations, as any other plea by which honest debts are avoided. We were acting not only for ourselves, but for after generations; and it would be for those who should inherit the infamy or honor of our present conduct, to prepare the suitable reward. With proper Legislation Illinois was destined to be one of the proudest members of this proud confederacy; and it should never be with his consent that her high name should become a land-mark for shame, to future generations.

After some further discussion between Messrs. Hardin and Dodge, the resolution was agreed to, and the resolution adopted.

On motion of Mr. LINCOLN the rules of the House were dispensed with, and the Bill to provide for the payment of interest on the public debt, was taken up.

The question was on the motion of Mr. Lincoln to refer it with the amendment of Mr. Hardin to the committee on Banks and other Corporations; which was lost—ayes 27 nays 46.

Mr. LINCOLN offered an amendment; providing for the payment of freight on iron; prosecuting a suit in New York &c.,—also providing that no interest should be paid on Bonds sold in violation of law, and upon which no consideration had been received, when such Bonds were in the hands or under the control of the original holders.

Mr. DAUGHERTY moved a further amendment that the amount of Bonds to be hypothecated, should not exceed $176,000

Mr. TRUMBULL moved a further amendment that no interest should be paid upon bonds sold in violation of law, and upon which no consideration had been received.

Upon this amendment, a considerable discussion arose, in which Messrs. Trumbull, Lincoln, Peck, Gillespie and Brown, took part.

Mr. BROWN of Ver., regretted to hear the motives of gentlemen so often impeached upon this floor. He was willing to believe that in reference to the measure now before the House, all were actuated by worthy motives—this he should claim for himself, whatever might be the case with others. He regarded the amendment offered by the gentleman from St. Clair (Mr. Trumbull) as calculated to inflict a deeper wound upon the already lacerated honor of the State. There was now a shade upon the fair reputation of our State, and this would inevitably tend to render it deeper and darker.—With all due deference to the legal attainments of that gentleman, he would inform him, that he had not penetrated the hidden depths of the legal and moral liabilities resting upon the State by her contracts. He differed with him and with others on this floor, as to the law arising upon instruments of the character of our State Bonds. It had been said that if an instrument of this character had been stolen, the obligor would not be bound to pay it, in the hands of an innocent holder. The decisions of the courts, for a hundred years, were against this—the books were full of decisions to show that under such circumstances, the obligor would be bound to pay such an instrument.

The law merchant, governing and applying to bills of exchange, applied to these bonds, and it was clear as to the rights of innocent holders.—Gentlemen, in their zeal to do justice to their constituents, would wrong the innocent, as well as the character of the State. Did not the people of Illinois panoply these agents with their power, in entrusting to them the power of selling these bonds, sending them forth as "experienced and able financiers" (God save the mark) to the world?—And now, when we had thus trusted them, and upon this sanction, the unsuspicious and confiding of other lands had trusted them, it was proposed to declare that neither our agents or ourselves were trust-worthy. Mr. B. contended that the Legislature never intended to look beyond the acts of our agents, and for this purpose he read from the act creating the Fund Commissioner—The credit, which these bonds carried upon their face, determined the rights of the parties. If the State had equity on her side, she would not be precluded from proving notice of the fraud, and defending herself from the debt.

Without taking the question, the House adjourned.

2 o'clock, P. M.

Mr. EDWARDS offered a resolution calling upon the Secretary of State for detailed information in regard to the Census.

Mr. MURPHY, from the committee appointed to wait upon the Governor for a message, informed the House that the Governor had none to make.

On motion of Mr. DODGE,

The House resolved itself into a committee of the whole on the contested election from Peoria—Mr. English in the chair.

Mr. BROWN, of Vermillion, offered a resolution that the rules of evidence, as established in courts of law, be adopted and adhered to in the investigation of the testimony in this case.

On this resolution, a debate arose, which occupied most of the afternoon, in which Messrs. Woodson, Brown and Henderson, supported the resolution, and Messrs. Ormsbee, Dodge, Peck, Carpenter, Bentley and Purple, spoke against it.

The resolution was lost—subsequently it was decided to be out of order.

Mr. HARDIN moved that all the evidence in regard to each voter be heard, and the legality or illegality of such vote be decided on separately.

Messrs. Purple and McClernand opposed the motion; it was finally, however, adopted by the House. Some part of the evidence was then read, when the committee rose, reported, and obtained leave to sit again.

House adjourned.

We designed to bring up our Legislative Journal in this paper to Wednesday evening; but the length of the proceedings has prevented us from doing so. No business of great importance was transacted in the Senate on Wednesday.—(Several bills of a local character were passed—among them was one to incorporate the city of Nauvoo.) The day was principally occupied in a discussion in which was involved the Canal and Internal Improvement policy, the causes of our State debt, &c. which grew out of a bill fixing the compensation of members.—Mr. Hacker, Mr. Pearson, Mr. Gatewood, and others, made speeches upon the subject.

The House on Wednesday were occupied most of the day on the bill to provide for the interest of the public debt. The testimony in regard to the contested election from Peoria was ordered to be printed, and the further consideration postponed.

STATE BANK OF ILLINOIS,
DECEMBER 5, 1840.

Extract from the minutes of the proceedings of the Directors.

The following resolution was unanimously adopted:

"RESOLVED, That the Bank and Branches forthwith resume the payment of specie for all their liabilities, and that the Cashier notify the Branches, by the earliest means, of the adoption of this resolution."

The following resolution was also adopted:

"RESOLVED, That copies of the preceding resolution be furnished to the editors of the newspapers of this place for publication."

A true copy from the minutes.

N. H. RIDGELY, Cashier.

Springfield, Ill.

FOUND.—A cap—enquire at this office. Dec. 3.

WAR DECLARED.

ALL those whose notes and accounts are due to the undersigned, are requested to make payment on or before the 25th of this month. Those who fail to comply with the above request, will have a polite visit paid them by one of those official characters, who are not at all times welcome.

Necessity compels me strictly to adhere to the above cause, without respect to persons.

ELI COOK.

Springfield Dec. 8th 1840.

PRIVATE BOARDING,
BY MRS. H. TILTON,
FIFTH street second door south of the Academy.

REFER TO

Mr. N. W. Edwards,
" N. A. Rankin,
Doct. John Todd,
" A. G Henry. Springfield, Dec. 5, 1840.

New Segar, Tobacco, and Snuff Store.

Washington St. three doors west of the square.

THE subscriber has just received from the East, and has now opened at the above store, a large stock of the above named articles, of the best quality that could be selected from the Baltimore and Virginia manufactories. Also Havana segars of the finest quality, purchased direct from the importers: together with other articles in his line, which he will be pleased to dispose of to his friends and the public generally, at the lowest prices for cash.

Among the articles may be found—
Hare's Extra suncured tobacco;
Labby's Oroncko sweet leaf do
Common do do
Rappee snuff by the pound or bottle;
Scotch do do
Cut and dry smoking tobacco;
do chewing do
Smoking pipes;
Snuff boxes various kinds and prices;
Tonqua Beans for scenting snuff;
Fancy Segar cases of Ivory, sea grass, ect. together with a variety of Fancy articles.

CAVE LEVERING.

Springfield, Dec. 4, 1840. 379

Administrators Notice.

ALL persons having claims against the estate of Elias Jeffries dec'd., late of Sangamon county Ill., are requested to present them for settlement at the office of the Probate Justice of the peace of Sangamon county, on the first Monday in the month of February next, at which time due attendance will be given by

C. M. POLK, Adm'r.

December 1st 1840.

GOLD AND SILVER WATCHES, JEWELRY, &c.

C. B. DERIEMER & Co. have just received the most splendid assortment of fine gold watches, watch chains, ladies' neck chains, breast pins, finger rings, miniature settings, &c., ever offered in the city.

Also.—A fine assortment of pocket cutlery, scissors, silver and gold pencil cases, spectacles, razors and strops, boxes and brushes, toilet and shaving soaps, perfumery, steel pens, and a variety of other articles too numerous to mention.

They will also repair Watches, Clocks, and Jewelry in the best manner, and manufacture silver ware of all descriptions. Springfield, Nov. 1840.

New Hat and Cap Store.

THE subscriber has just resumed his old business, on the South side of the Public Square, three doors West of the American House, where his old friends and the public generally are invited to call and examine his stock of HATS AND CAPS, which he warrants to be of a good quality, and will sell at reduced prices for CASH.

H. M. ARMSTRONG.

Springfield, Nov. 28, 1840.

Houses and Lots for Sale.

A NEW two story brick house containing two rooms above and two below, with a shed, smoke house, kitchen, cellar, well, &c. being very convenient for a family. The lot is 53 1-3 ft by 157, enclosed with a picket plank fence. The above is offered on the most accommodating terms, and a good lot taken in part payment.

Also, a neat two story frame house, containing two rooms above and two below, with smoke house, shed, stabling, &c., situate above the American House.

For terms apply to GEO. G. GRUBB, north side of the square.

Springfield, Nov. 30.

NEW FIRM,
And New Stock,
COOK & MUNGER.

ELI COOK and WESLEY MUNGER, have entered into partnership under the firm of Cook & Munger, as manufacturers and dealers in Hats, Caps, Fur and Trimmings, and have just received from Philadelphia a large and splendid assortment of Caps of every description, at prices from 1 to $20, consisting in part of fine Otter, Fur Seal, Nutra, Muskrat, Celatte and Hair Seal Caps. Also a large assortment of Hats, of our own manufacturing latest eastern fashion, which for be auty and durability, we are willing to have compared and tried with any in the city.

The public are respectfully invited to call and examine for themselves before purchasing elsewhere.

N. B. We will take in exchange for Hats and Caps, all kinds of good seasonable furs, and most kinds of country produce, and for cash we will sell at very low prices.

N. B. Hats made to order on short notice, at the sign of the Large Hat, directly south of the State House.

Springfield, Nov. 24, 1840.

No Mistake.

THE ILLINOIS CLOTHING STORE, South side of the Public Square, No. 6, has received an additional supply of *Ready Made Clothing*, consisting of all kinds of Overcoats, Frock and Body Coats; also Pantaloons and Waistcoats, Flannel Shirts and Drawe, Dickys, Collars and Stocks, &c., which the subscriber recommends to be neatly and substantially made, and respectfully invites the public to call and accommodate themselves with a bargain. Z. McCOMAS.

N. B. *Ladies Cloaks* for sale at the Illinois Clothing Store. Nov. 27.

HATS AED CAPS.—The subscriber has just opened some of the latest style Russia Hats, from $3 to $7, and Fur Caps from $3 to $25.

Call and see.

Also Selet and Seal Skin Caps and Fur Collars and Tippets. JAS. L. LAMB.

Nov. 28

☞The last Richmond Whig says,—We have rumors to the effect, that Dr. Niles is quite boisterous in his denunciations of his illustrious predecessor, Kendall. If these two worthies get by the ears, honest men will come by their due.

NORTH CAROLINA SENATORS.

The work of reform has commenced, and by North Carolina, who was among the first to take bold ground for Gen. Harrison. The legislature have elected the Hon. Willie P. Mangum, the Senator from Orange, and Hon. Wm. A. Graham, Speaker of the House, Senators to the Congress of the U. States—the former six years from the 4th of March next, and to fill the unexpired term of Mr. Brown; the latter to fill the unexpired term of Mr. Strange, which is two years. The following is the vote:

Mangum,	99
Graham,	98
Brown,	65
Strange,	64

War between England and China.—By the arrival of the Ann McKim, in 104 days from Canton to New York, we have received 20 days later intel