

Resolved. That this General Assembly does hereby make an application to the Congress of the United States, to call a Convention of the several States to propose amendments to the Constitution of the United States.

Resolved further. That this General Assembly request that the Legislatures of the several States will make to Congress a similar application, that the Constitution of the United States may be so amended as to restore peace and harmony to the Confederacy, prevent a dissolution of the Union, and perpetuate the blessings of liberty to us and prosperity.

This amendment was carried by the casting vote of the Speaker, there being a tie.

Mr. Hall moved an amendment which was negatived, the object of which was to pronounce affirmatively that the Tariff is unconstitutional, instead of asserting as the Resolutions do, that the Legislature believe such to be the opinion of a majority of the people of this State.

A vote was then taken separately on each of the Resolutions, the whole of which were unanimously adopted, with the exception of that submitted by Mr. Wilson, which appears above, and that which denounces Nullification. The first was rejected 30 to 27; and the latter was adopted 48 to 10. The dissentients were Messrs. Bailey, Bell, Carson, Faison, Hussey, Lindsay, Matthews, Montgomery, of Hertford, Steadman and Wellborn.

Monday, Dec. 31.—Bill presented.—By Mr. Bailey, to allow the taking of Depositions in cases of removal. This bill was read the first time.

Daniel M. Barringer and Benjamin Sumner were put in nomination for Trustee of the University, in the place of Judge Murphy, deceased.

The Resolution requesting the State of South-Carolina to suspend the execution of her Ordinance, &c. was read the third time. Mr. Seawell moved to strike out the words, "to give time to the present or next Congress of the United States to act upon the subject of the Tariff"—which was agreed to. The Resolution then passed its third reading, and was ordered to be engrossed, 50 to 3. The dissentients were Messrs. Ashew, Bailey and Hinton.

Tuesday, Jan. 1.—Mr. Carson submitted a Resolution, which had its first reading, the object of which was to appropriate \$500 towards the survey of a Rail-Road from the head of navigation upon the Holstein river in Tennessee, along the valley of French Broad River, in this State, to the head of navigation in South-Carolina; not however to be paid until similar appropriations are made by South-Carolina and Tennessee.

The Senate took up the bill to erect a new County in the West, out of a part of Buncombe. It was amended so as to read "out of parts of Burke and Buncombe," and was then rejected, 29 to 25.

HOUSE OF COMMONS.

Wednesday, Dec. 26.—On motion of Mr. Clayton, a message was sent to the Senate, proposing that the Legislature adjourn *sine die*, on the 5th January. For the motion 97, against it 15.

The bill to establish the Merchants' Bank in Newbern was read the 2d time, amended and passed—yeas 63, nays 60.

Thursday, Dec. 27.—Petition presented.—By Mr. Casler from sundry citizens of Lincoln, praying an alteration in the laws relative to the duties of Sheriffs and Constables. Referred.

On motion of Mr. Pearson,

Resolved. That the Public Treasurer and Attorney General be instructed to take the necessary proceedings for the purpose of ascertaining by a decision of the Supreme Court, whether the Cape Fear and Newbern Banks in paying the tax required by law out of the profits of said Banks before dividends are declared, have acted in pursuance of the proper construction of that part of their charters which enacts that a tax of one per cent. shall be levied on the Stockholders, &c.—And whether the proper construction of their charters does not require that dividends should be first declared, and that the tax should then be retained out of the dividends of the individual stockholders, so that the tax may be paid by the individual stockholders, and not by the Bank.

On motion of Mr. Craige,

Resolved. That the Judiciary Committee be instructed to enquire into the expediency of so amending the criminal laws of this State, that no person shall be compelled to pay the costs accruing from the attendance of witnesses necessary to his defence in any prosecution whenever he shall be acquitted of the charge or charges preferred against him.

Resolved further. That they enquire into the expediency of compelling the prosecutor to pay all such costs.

The House, on motion of Mr. O'Brien, resolved itself into a Committee of the whole, Mr. Davidson in the Chair, on the Bill to establish the Bank of North-Carolina.—Considerable debate ensued, and a number of amendments were adopted. It was reported to the House, when Mr. Bragg, moved for its indefinite postponement, which was negatived 72 to 54. It was further amended, and passed its second reading 64 to 61.

Friday, Dec. 28.—Mr. Pearson called up for consideration the bill to provide for taking the votes of the people for or against certain amendments to the Constitution, when on his motion, the said bill was laid on the table until the third Monday of November next.

The following engrossed bill passed its third reading and was ordered to be enrolled: The bill to repeal in part an act passed in 1826, repealing an act passed in 1-20, directing the County Court to pay fees to certain officers therein named, &c.

Saturday, Dec. 29.—Bill presented.—By Mr. Edgerton, to repeal the act pas-

sed in 1818, fixing the sum to be hereafter paid to the State for vacant lands. Read the first time.

Mr. McQueen presented a resolution returning the thanks of the Legislature to Col. Isaac T. Avery, of Burke, for his proposed generous donation to the State of certain valuable English Authorities.—Read, referred to the Library committee.

The engrossed bill authorizing the Commissioners of the Town of Fayetteville to borrow 200,000 dollars to be invested in the Cape-Fear and Yadkin Rail-Road Company, and for other purposes, was received from the Senate with an amendment, concurred in, and ordered to be enrolled.

The engrossed bill to reduce the salaries of the Supreme Court Judges, was received from the Senate and read the first time.—Mr. Shepard moved that it be rejected, which was negatived 72 to 45.

Monday, Dec. 31.—Mr. Eccles, from the Judiciary Committee, to whom the subject had been referred, reported a bill to amend the 10th section of the act of 1741 for the better observation of the Lord's day. Read the first time.

Mr. E. from the same Committee, reported a bill to render the land of a deceased debtor liable for the costs where the plea of fully administered has been found in favor of his Executor or his Administrator.

Mr. E. from the same Committee made an adverse report, which was concurred in, on the Resolution instructing them to enquire into the propriety of so amending the laws relative to Executors, &c. as to require them in all cases of insolvent estates to make rateable payment of all claims against the estate of their testator.

Tuesday, Jan. 1.—On motion of Mr. O'Brien, the House re-considered the vote of yesterday on the rejection of the bill to establish the Merchant Bank in the Town of Newbern, and the bill was laid upon the table.

The remainder of the sitting was spent in Committee of the whole, on the bill to establish the Bank of North-Carolina. A protracted debate ensued, in which Messrs. Shepard, Henry, Outlaw, L. Thompson, Barringer and Pearson opposed and Messrs. Daniel, O'Brien, Mangun, and Guthrie advocated its passage. The bill was reported to the House with sundry amendments, and being read the third time, was rejected, yeas 65—nays 53.

The Open-door Mania.—There is a malady prevailing very extensively in this country, and producing very uncomfortable effects, especially in the winter season. It may be called the *open-door mania*. That it is a mental disease, there can be no manner of question; for who in a sound state of mind, would leave the door open when the mercury is at zero?

The weather has been so moderate this season, that until a few days we have had little cause to complain of the effects of this prevailing disease; and were somewhat in hopes that the first cold weather would cure it, as it does the yellow fever. Vain hope! the disease we are afraid is absolutely incurable. If Doctor Nott, among his other efforts to keep us warm, would invent any mode of curing this dreadful disease, he would acquire a new claim to the gratitude of mankind—and one wherein he would scarcely need an injunction for the security of his rights, for none would be so bold as to dispute them.—*N. York Citizen.*

Courtesy of Enemies.—In the Memoirs of Gen. Macomb, lately published, an incident is related to show the spirit of courtesy and mutual forbearance, which after the battle of Plattsburgh, prevailed between the American and British officers:—

"A servant of a British Adjutant deserted to our side, with his master's horse, clothes and money. On being brought to Head Quarters, and examined, he confessed that all the articles were stolen. General Macomb immediately ordered off Lieut. Riley with a flag to restore them. While in the act of redelivering the property at the British camp, an American deserter arrived, with General Macomb's charger, fresh stolen from his stables. The charger, being recognized by Lieut. Riley, was promptly given up, the British being pleased with an opportunity, so singularly presented, of reciprocating the courteous liberality extended to themselves."

An idle fellow the other day complaining of his hard lot, said, he was the last child his mother ever had—he was born on the last day of the year, and the last day of the month, and the last day of the week, and he had always been behind-hand. He believed it would have been fifty dollars in his pocket if he had not been born at all.

A Clergyman at Blackheath was reproving a married couple for their frequent dissensions, which were very unbecoming, both in the eyes of God and man, seeing as he observed, that they were both one. "Both one!" cried the husband, "were your reverence to come past our door sometimes, you would think we were twenty."

A drunken Scotchman returning from a fair, fell asleep by the road side, when a pig found him and began licking his mouth. Scurvy roared out, "what's kissin me noo?" "Ye see what it is to be well liket among the lasses!"

From the Charleston Courier. STATE SOVEREIGNTY.

Mr. Editor.—The very alarming measures which are in agitation in South Carolina, and which have been mainly urged by the frenzied leaders of the State Rights Party, on the imposing plea of "the Sovereignty of the States," induces me to call the attention of my fellow citizens to the following simple facts which I hope will tend in some measure to explain to the understandings of the most ignorant, the true nature of State Sovereignities, and the relation they bear to the Supreme Sovereignty of the Union.

Prior to the acceptance and ratification of the Constitution, each State was sovereign within its own territorial limits—but this sovereignty was found inadequate to the protection or preservation of the liberties or independence of either of them, distinctly considered. No nation would acknowledge their sovereignty as distinct, nor enter into treaties of alliance with either, for the very cogent and best of all reasons, no one of the States were able to maintain that rank which would entitle it to hold a place among the nations of the earth. The wisest among our Revolutionary heroes and statesmen, saw the actual necessity of forming the separate States into one Sovereign Republic, or as President Washington said, "one Consolidated Union," whose laws were to be respected and obeyed as "the supreme law of the land."

From thenceforth the State Sovereignities ceased to exist, and no longer ranked individually as free, sovereign and independent States, but collectively, as a free, sovereign, independent nation, distinguished as "the United States of America."—The State Sovereignities, about which so much fuss has been made by those who essayed to be wise among the wise, is thus seen to be nothing more than a fractional, or inclusive and relative sovereignty, while the sovereign and supreme power rests properly and positively in the people, the whole people of the United States; and is expressed in their glorious Constitution, in the following conclusive words:—*We, the People of the United States.* That certain rights were retained by each State, no one is disposed to deny—but as decisive proof that the States, in their individual capacity, have no claims to sovereignty, the Constitution of the United States distinctly shows, as follows:—

1. The States have no power to lay and collect taxes throughout the United States.
2. They cannot borrow money on the credit of the United States.
3. They cannot regulate commerce; that is the privilege of sovereignty, which shows that the States, individually, are not sovereigns.
4. They cannot establish uniform rules of naturalization. And if a State shall assume to itself the right to swear an individual who has already taken the oath of Allegiance to the United States, or one who is about to become a citizen, to swear him to an allegiance to the State in which he may be located, as purporting to be an allegiance to the State, and not to the United States, in the former case it would be considered perjury, and in the latter, the individual is not a citizen of the United States; nor would he be entitled to its protection or its liberties.
5. They cannot coin money.
6. They cannot define piracies, nor punish treason.
7. They cannot declare war, nor make peace.
8. They are not authorized to raise armies, nor to support them. But to evade this clause of the Constitution, a recommendation has been offered to the Legislature to authorize the Commander-in-Chief to accept the services of 12,000 volunteers, as guards of the State."

But not to multiply State disabilities, and of which the constitution enumerates several others, it is sufficient to show that "we, the people of the United States, in whom collectively resides the property of Sovereignty, legally, properly and constitutionally, can, and do perform, all such acts and things, which no individual State of the Union is allowed or authorized to do; while by the sovereign power of the General Government, all laws are made "which shall be necessary and proper for carrying into execution the foregoing powers, and all others invested by the Constitution, in the Government of the United States, or any department, or office thereof; and such laws are declared to be the supreme laws of the land, any thing in the Constitution or laws of the States to the contrary notwithstanding."

Having thus simply defined the true character of State Sovereignities, while I leave to their *arial lucubrations* those profound, metaphysicians, who have illuminated our State with the gas lights emanating from their effervescent brains, inasmuch that the little ones in the streets have become profound politicians, and marshalling themselves under the bloody flag with one star undertaking to show that the State can be in the Union and out of it at the same time! I congratulate my fellow-citizens on the cheering prospects of a timely and salutary reaction among their deceived and deluded brethren; and hope that all future appeals to State Sovereignty, will be treated as hallucination of brains not healthfully excited, and the advocates thereof be

classed among those who are fitter subjects for the asylum at Columbia than for the confidence of the public.

COMMON SENSE.

THE TARIFF.

From the Fayetteville Observer, 1st inst.

By yesterday's mail we received a copy of the bill reported by the Committee of Ways and Means, to reduce the Tariff. It provides, that from the 3d of March, 1833, 1st. On unmanufactured wool, the value of which shall exceed 8 cents per pound, \$35 for every hundred dollars worth shall be paid until 2d March, 1834, then \$25 till 2d March, 1835, and then \$15. Wool under 8 cents per pound value, to be free of duty.

2d. Plains, Kerseys, or Kendall Cottons, of wool, not exceeding 35 cents the square yard, and blankets, not exceeding 75 cents each, to pay \$5 for every \$100 valuation. Worsted stuff goods, shawls, bombazines, poplins, tabinets, and all other manufactures of silk and worsted, \$10 for every \$100 value. Coach lace, \$25 for every \$100 value.

3d. Blankets, \$25 for every \$100 value, until 2d of March, 1834, and then \$15.

4. Carpets, carpetings, flannels, bookings, baizes, cloths, kerseymeres, merino shawls, and all other woollen manufactures, or of which wool is a component part, except as herein otherwise provided, and on ready made clothing \$40 for every \$100 value, until 2d March, 1834, then \$30 until 2d March, 1835, then \$20.

5. Woollen and worsted hosiery, mits, gloves, stockinets, and on worsted bindings, \$20 for every \$100 value, until 2d March, 1834, then \$10.

6. Manufactures of Cotton costing not more than 25 cents per square yard \$30 for every \$100 value thereof, until 2d March, 1834, then \$20. All other manufactures of cotton, or of cotton and silk, not otherwise specified, \$25 for every \$100 value, until 2d March, 1834, then \$20.—Nankeens direct from China, \$15. Cotton hosiery, mits, gloves, and stockinets, and cotton twist, yarn, and thread, \$20 for every \$100 value, until 2d March, 1834, then \$10.

7. Iron in bars or bolts not manufactured in whole or in part by rolling \$15, the ton, until 2d March, 1834, then \$15. Bar and bolt iron made wholly or in part by rolling, \$30 the ton, until 2d March, 1834, then 24. Scrap and old iron 12 50.

8. Iron in pigs, 50 cents per every 112 weight, until 2d March, 1834, then 40 cts. Cast iron vessels and other iron castings, one cent per pound.

9. Steel 1 50 for every 112 pounds weight, until 2d March, 1834, then 1.

10. Manufactures of iron and steel, not herein enumerated, the several rates of duty provided by existing laws, until 2d March, 1834, and thereafter the lowest rate of duty which would have been payable on the same, either under the act of 27th April, 1816, entitled "an act to regulate the duties on imports and tonnage"—or the act of 14th July, 1832, entitled "an act to alter and amend the several acts imposing duties on imports."

11. Hemp 35 the ton until 2d March, 1834, and thereafter 30 the ton.

12. Cordage tarred, 4 cents the pound until 2d March, 1834, and thereafter 2 cents the pound. Cordage untarred, and yarn, twine, and packthread, 5 cents the pound until 2d March, 1834, and thereafter 3 cents the pound.

13. Cotton bagging 15 for ever 100 value.

14. All manufactures of hemp or of flax not herein enumerated, 15 for every 100 value.

15. Spirits from grain, to-wit: on first proof, 20 cents per gallon; second proof, 23 cents per gallon; third proof, 26 cents; fourth proof, 30 cents; fifth proof, 34 cents, and over fifth proof, 40 cents the gallon; on spirits from all other materials than grain, to-wit: first and second proof, 18 cents the gallon; third proof, 21 cents, and over fifth proof, 30 cents.

16. Salt, 8 cents the bushel, until 2d March, 1834, and thereafter 5 cents the bushel.

17. Olive oil, in casks, 15 cents the gallon, until 2d March, 1834, and thereafter 10 cents the gallon.

18. Brown sugar, and syrup of sugar cane in casks, 2 1/2 cents the pound, until 2d March, 1834, and thereafter 2 cents the pound. White clayed sugar 3 cents the pound, until 2d March, 1834, and thereafter 2 1/2 cents the pound. Sugar candy and other refined sugar 10 cents the pound.

19. Molasses, 4 cents the gallon.

20. Coffee, 1 cent the pound.

21. Teas, after 3d March, 1834, to-wit: on imperial, gunpowder, and gamma, hyson and young hyson, 10 cents the pound. On skin and other green, souchong and other black except bohea, 6 cents, and on bohea 3 cents.

22. All manufactures of silk, or of which silk shall be a component part, coming from beyond the Cape of Good Hope 20 for every 100 value, and all other manufactures of silk, or of which silk is a component part, 12 50 for every 100 value.

23. All printed books, in other languages than Latin, Greek, or English, 4 cents the volume.

All printed books, in Latin and Greek, 12 1/2 cents the pound weight, when bound;

and when unbound, 10 cents the pound weight.

All other printed books, when bound, 35 cents the pound weight; and when unbound, 20 cents the pound weight.

In addition to the articles made free of duty by the act of 14th July, 1832, the following articles shall be admitted free of duty after 3d March, 1833: that is to say, cotton, wool, indigo, and printed books, in whatever language, printed thirty years before the date of their importation.

24. On all articles not herein enumerated, the lowest rate of duty, calculated upon the value of the article, which would have been payable on the same, either under the act of 27th April, 1816, entitled "An act to regulate the duties on imports and tonnage," or the act of 24th July, 1832, entitled "An act to alter and amend several acts imposing duties on imports."

The 24th item, it will be observed, goes back to the Tariff of 1816, and continues, on a mass of unenumerated articles, the lowest rate fixed by the act of 1816, or that of 1832.

Without pretending to much knowledge of the subject, we cannot but believe, that the provisions of this bill ought to, and will if they are adopted by Congress, satisfy the people of the South, not excepting S. Carolina.

May harmony thus be restored!

Rail-Road Surveys.—The Board of Internal Improvements has made its Report to the Legislature, covering the Reports of Mr. RAWLE of his Surveys of the Central and Yadkin Rail-Roads, which we will take an opportunity hereafter of presenting to our readers. We confess ourselves disappointed at the result which Mr. R. has come to in his estimation of the expense of constructing a Rail-Road between this City and Beaufort. The Citizens of Raleigh have just completed an Experimental Railway from the city to a Stone Quarry in the vicinity, which will not cost more than \$2,500 a mile, and we had believed that the country through which the Central Road would pass is fully as favorable for such a purpose as that between this city and Stone Quarry, yet Mr. R.'s estimate upwards of \$5,000 a mile. The expense of constructing the proposed Yadkin Rail-Road, is estimated at between 8 and 9,000 a mile. And we presume had Mr. R. continued his survey of the Central Road westward, the estimate would have been still higher.

We fear that if the Central Rail-Road cannot be accomplished at a much less sum than Mr. Rawle's estimate, it will not, at present, be effected.

Would it not, in the mean time, be desirable, if a sufficient subscription can be obtained for the purpose, to continue our Experimental Rail-road to some point on New River, from whence good boat navigation could be had at most seasons of the year? The Road thus made might hereafter form a part of the Central Road.—*Ral. Reg.*

The ENTERTAINMENT given by the Citizens of this place and vicinity, to the Members of the Legislature, on Friday night last, at the City Hotel, went off remarkably well, considering the large number of persons present. The assemblage of ladies was brilliant, the Music good and the Supper splendid. The Transparencies which ornamented the room, painted by Mr. A. S. WAGH, of this City, attracted universal attention, as well on account of the beauty of execution as the taste of design. They were five in number, and were arranged as follows:—

No. 1. A view of the proposed new Capitol over which floated a majestic Eagle, bearing in inscription in his bill—"The Legislature of 1832." This transparency was 6 ft. 6 in. square, and was placed opposite the principal entrance.

No. 2. A romantic view, combining the three grand divisions of this vast continent—earth, mountains and water. In the foreground, the American Standard appeared, imbedded in a red, giving its stripes and stars to the breeze, with the inscription—"Our Country—our whole Country—and nothing but our Country." This was 6 ft. 6 in. square and faced the other.

No. 3. This was 3 ft. 8 in. square and illustrated by a scroll and pen the Declaration of Independence.

No. 4. A transparency representing the Union by 24 Stars within one large one—not one obscured or diminished.

No. 5. Peace and Plenty with the emblem of Hospitality.

Between the transparencies at regular intervals were placed other appropriate devices and emblems.—*id.*

Virginia and the Union.—The Committee appointed by the Legislature of Virginia upon the all absorbing subject growing out of the present attitude of S. C. have made their report. Some apprehensions were felt that the Committee would make a report so far in favor of the doctrines of Carolina, as to jeopardise the Union, and give a tone to the feelings of the Southern States which might combine their efforts to overwhelm the Constitution. It will be gratifying to the real friends of the Union to find that the committee do not sanction the rebellious position assumed by the Nullifiers of S. C. although they disapprove and protest against the powers assumed by the General Government, in General Jackson's Proclamation.—*Balt. Gaz.*

The sentence of BOGAN, the fraudulent Lottery Commissioner of Georgia, is deprivation of Office and disfranchisement for 20 years.