

## General Assembly.

[Abstract of such of the proceedings as are considered interesting to our readers.]

### SENATE.

Monday, Dec. 29.

The Senate, after transacting some private business, entered upon the orders of the day, and proceeded to the consideration of the bill to make an appropriation for completing the capitol in the city of Raleigh; which, being read the second time, was ordered, on motion of Mr. Welborn, to be referred to a select committee, consisting of Messrs. Holmes, Edwards, Wilson, Montgomery, of Orange, and Sawyer, with instructions to inquire whether any alteration can be made in the plan of the capitol, which will require a less expenditure of public money to complete it, and what will be the probable cost of the building; with leave to report by bill or otherwise.

On motion of Mr. Sawyer, the bill defining and limiting the power of courts in inflicting punishments for contempts, was taken up, and, on its third reading, was rejected.

Tuesday, Dec. 30.

The bill to give further time for paying in entry money, passed its last reading, and was ordered to be enrolled.

Mr. Lockart presented a bill to incorporate the Northampton Manufacturing Company; which was read the first time and passed.

Mr. Hogan, from the committee on the Judiciary, reported the following bills, which were read the first time and passed. To amend the several acts heretofore passed to vest the right of electing sheriffs in the free white men of this State, and to prescribe the mode of their qualification—

[Changes the mode of taking sheriff's bond.]—Amendatory of the usury laws—[Exempts persons lending at the rate of more than 6 per cent. from forfeiture or penalty, and entitles them to recover the principal, with 6 per cent interest.] Supplemental to the several acts giving the Superior Courts exclusive jurisdiction in all cases of divorce—[Prescribes cases in which court shall grant divorces.]

Mr. Lockart, from the committee on Finance, reported a bill in addition and supplemental to an act, passed in the year 1822, entitled "an act to provide a revenue for the payment of the civil list and to defray the contingent charges of government;" which passed its first reading, and was ordered to be printed. [It provides that a tax be levied of 25 cents on each wheel of carriages of pleasure, or for transporting persons; of 4 dollars on each practicing lawyer, physician and itinerant dentist; and of 10 per cent. on the estates of persons dying without lineal descendants.]

Wednesday, Dec. 31.

Mr. Hawkins, from the select committee on the expenditure 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 reading, and was ordered to be engrossed. On the second reading, the yeas and noes were taken, as follows:—yeas 34, noes 25.

Thursday, Jan. 1.

The following bills were read and rejected: The engrossed bill to provide for the payment of the instalments on the shares reserved to the State in the capital stock of the Bank of the State North Carolina—33 to 23; the bill to amend the several acts heretofore passed to vest the right of electing sheriffs in the free white men of the State, &c.

Friday, Jan. 2.

Mr. Beard, from the joint select committee to whom was referred that part of the Governor's Message which relates to the outrage committed on American citizens at Nassau, made a detailed report thereon, accompanied by the following resolutions, which were read three times, *unanimously passed*, and ordered to be engrossed:

*Resolved*, That the forcible detention, by the authorities of the British Island of New Providence, of the property of American citizens, thrown upon that island by shipwreck, was a breach of the rites of hospitality, and an infraction of the laws of nations.

*Resolved*, That the General Assembly of North Carolina will not recognise any distinction in principle between property in persons (as known to the Constitution of the United States) and property in things.

*Resolved*, That the General Assembly of North Carolina has full confidence in the good faith of the respective members of the Union, in regard to all those rights guaranteed to each by the Federal Compact, and doubt not that the General Government, as the common agent of the States, will take such measures, at the present juncture, as may be wise and expedient.

*Resolved*, That his Excellency the Governor be requested to transmit a copy of this Report and these Resolutions to the President of the United States, to the Executive of each of the States, and to the Senators and Representatives of North Carolina in the Congress of the United States.

On motion of Mr. Moye of Pitt, the Senate agreed to reconsider the vote on the rejection of the bill to provide for the payment of the instalments on the shares reserved for the State in the capital stock of the Bank of the State of North Carolina, chartered by the act of 1833.

The engrossed Resolution, from the other House, declaring the office of Attorney General vacant, was laid upon the table.

The Senate entered upon the orders of the day, and proceeded to consider the bill concerning a Convention to amend the Constitution of the State. Whereupon the said bill was read the second time and amended on the motions of Messrs. Edwards and Mebane. Mr. Arrington then moved that the bill be indefinitely postponed; which was negatived—33 to 28. The question then recurring on the passage of the bill, it was decided in the affirmative—31 to 30.

Saturday, Jan. 3.

The bill to provide for the payment of the instalments on the Shares reserved to the State in the Capital Stock of the Bank of the State, was again rejected—39 to 29.

Nearly the whole sitting was occupied in the consideration of the bill concerning a Convention, to amend the Constitution of the State. A great number of amendments were proposed, and a very animated discussion arose on their respective merits. Finally, about 6 o'clock in the evening, the bill passed its third reading—31 to 30, (Mr. Flowers in the negative,) and was sent back to the House of Commons for their concurrence in the amendments.

HOUSE OF COMMONS.  
Monday, Dec. 29.

Mr. Poindexter, from the committee on the Judiciary, to whom was referred a resolution directing an inquiry into the expediency of altering the law to punish white persons by whipping, and of establishing a penitentiary, reported that it is inexpedient at this time to legislate upon the subject. Concurred in.

Mr. Barringer, from the same committee, to whom was referred a resolution directing an inquiry into the expediency of providing by a general law for the punishment of all breaches of trust; and also the bill to provide for the more convenient administration of justice in Carteret county, reported unfavorably on both subjects. Whereupon the committee was discharged from the further consideration of the former, and the bill was ordered to lie on the table.

Mr. Henderson presented the following resolutions, which were ordered to be printed and made the order of the day for Wednesday:

*Resolved*, as the opinion of this General Assembly, That any act by which the Congress of the United States shall give the public lands to the States in which they are situated, or any act by which the minimum price at which these lands are now sold shall be reduced, would seriously effect the property of all the old States and do great injustice to these States by whom they were originally ceded to the Confederacy.

*Resolved further*, as the opinion of this General Assembly, That the public debt having been extinguished, and the object for which the ces-

sion of the respective portions of the public domain by the States which originally held them, having thus been accomplished, that such distribution of the public lands, or the proceeds thereof, ought to be made among the States of the Union, as shall be proportioned to the respective sacrifices and expenditures incurred by them in support of the United States, or, at least, in proportion to their federal population.

*Resolved*, That the Governor be, and he is hereby requested to transmit copies of these resolutions to the Senators and Representatives from this State in the Congress of the United States.

Mr. L. A. Gwyn presented a resolution, proposing that the Legislature adjourn *sine die* on Monday next; which was adopted—yeas 59, noes 52.

Mr. Harris presented the following resolution:

Whereas a report is in circulation highly injurious to the reputation of Robert Potter, a sitting member from Granville county, and derogatory to the dignity of this House, touching his conduct since he took his seat as a member of this House: Therefore,

*Resolved*, That a select committee of five be appointed to investigate the matter, and report the facts to this House; and that said committee have power to send for persons and papers, and to examine persons on oath.

The said resolution was read and adopted, and Messrs. Poindexter, Dockery, Allison, Hoke and Dudley, appointed to constitute said committee.

The House now took up the order of the day, being the resolutions introduced by Mr. Craig, declaring the office of Attorney General of this State vacant; when General Saunders appeared and was heard at the bar of the House in vindication of his right to hold the appointment; after which the House adjourned, without taking any question on the resolutions.

Tuesday, Dec. 30.

Mr. Barringer, presented a bill prescribing in what manner copies of administration or returns of property of deceased persons in another State shall be read in evidence. Mr. J. W. Guinn, a bill giving the Superior Courts of Law exclusive original jurisdiction of all applications for divorces.

Mr. Barringer, from the committee on the Judiciary, who were instructed to inquire into the expediency of amending the law relative to the execution and registration of deeds of trust, reported against further legislation on the subject. Concurred in.

Mr. Battle, from the committee on the Judiciary, to whom was referred the bill concerning the liabilities of sheriffs for claims put into their hands for collection, reported unfavorably thereon; upon which the bill was postponed indefinitely.

Mr. Kittrell moved that the House do now proceed to the orders of the day, being the unfinished business of yesterday, viz. the resolutions declaring the office of Attorney General vacant; which was agreed to by a vote of 68 to 60; and, after a discussion of considerable length, in which Messrs. Craig, R. H. Alexander, Graham, Manly, Outlaw, Haywood and Bragg participated, the resolutions were adopted, and ordered to be engrossed and sent to the Senate, for concurrence—yeas 68, noes 53. [Messrs. Bynum in the affirmative—Potts in the negative.]

Wednesday, Dec. 31.

The Speaker laid before the House the following Communication from Komulus M. Saunders, Esq:

Raleigh, December 31st, 1834.  
Sir:—When I 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 the more readily to do, as neither the preamble or resolutions adopted by the House, or any thing urged in their discussion, ascribe to me any moral offence, 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 obt' serv't  
R. M. SAUNDERS

Hon. Wm. J. 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, [Messrs. Bynum and Potts in the negative,] and sent to the Senate for concurrence.

On motion of Mr. Outlaw, it was resolved, that the Committee on the Judiciary be instructed to report a bill repealing all laws authorizing divorces for any cause subsequent to marriage, should they deem it expedient.

Thursday, Jan. 1.

Mr. Barringer, from the Committee on the Judiciary, reported a bill concerning divorces, which was read the first time.

Mr. Dudley, from the select committee, to whom was referred the Resolution of enquiry into the conduct of Robert Potter, reported the facts of the case, whereupon Mr. Harris submitted the following Resolution:—

*Resolved*, That Robert Potter, a member of this House from the county of Granville, be and he is hereby expelled from his seat.

Considerable discussion ensued and the Resolution was laid on the table, on motion of Mr. Haywood, until to-morrow.

Friday, Jan. 2.

The House proceeded to the consideration of the Resolution, yesterday submitted by Mr. Harris for the expulsion of Robert Potter. Mr. Swanner moved for its indefinite postponement, which was negatived—65 to 50. Some discussion ensued, and the Resolution was ultimately passed—62 to 52, [Messrs. Bynum in the negative, Potts in the affirmative.]

Saturday, Jan. 3.

The Resolutions from the Senate in relation to the outrage at Nassau, were *unanimously* adopted, and ordered to be spread at large upon the Journal.

The bill to incorporate the Bible Society of North Carolina was read the second time. Mr. G. H. Alexander moved for its indefinite postponement, which was negatived—54 to 45.

Considerable discussion took place on the Resolutions submitted some days ago by Mr. Henderson, in relation to the public Lands, but the subject was not disposed of, when an adjournment was moved and carried.

Communications.  
FOR THE TARBORO' PRESS.

Raleigh, Jan. 5, 1835.  
Mr. Howard:

Dear Sir: Please give the enclosed insertion in your next paper. It is my valedictory to the good people of Edgecombe, and nothing but a high sense of duty, growing out of my new relations, has elicited it from me.

We have passed, or rather they have passed, a bill providing for the call of a Convention, as you will observe from the papers—the instructions have passed and Potter has been expelled—these, I believe, constitute the whole of our labors. We shall adjourn in a few days. Yours, &c.

JNO. W. POTTS.

TO THE FREEMEN OF THE COUNTY OF EDGECOMBE.  
Gentlemen: The political relations, that have existed between us for the last three years, will terminate with the close of the present session of the Legislature; and I cannot permit the occasion to pass, without tendering to you, in this public manner, my acknowledgments for the repeated manifestations of kindness I have received at your hands. In the discharge of the duties that have devolved upon me, I have been called upon to act upon many grave and important questions, as well in reference to our internal and domestic policy as the not less interesting relations we occu-

py towards the other members of the confederacy. Claiming no exemption from the common infirmity of our nature, I cannot flatter myself that I may not on some occasion have committed errors. These, however, have never been wilful, and are to be ascribed solely to my want of ability to detect them.

During the present session, an adjustment has been made of the question that has for so long a period distracted our councils, and proved so serious an obstacle to wholesome and salutary legislation. A bill has passed both branches of the Legislature providing, that the sense of the people of the State be taken upon the propriety of amending the Constitution of the State, and in the event of a majority of the people declaring themselves favorably to the measure, directing the call of a Convention for that purpose.

After giving to this subject the most deliberate and impartial examination, my own mind became entirely satisfied that the interests of the whole State requires that the question should be settled; and it would have been a source of gratification to me, to have felt myself at liberty to have aided in adjusting it. But I was aware that hitherto a majority of you had been opposed to any alteration of the present Constitution, and having determined not to present myself as a candidate at the next elections, I was unwilling to subject myself to the imputation of having, in the last hour of my trust, betrayed the confidence which had been so generously reposed in me. Influenced by these considerations, I voted against a Convention, not without strong doubts however, whether reasons so entirely personal should have been permitted to operate in the discharge of a high public duty.

But the bill has passed and I trust it will result in all the advantages its friends have so confidently predicted. If its provisions are executed in good faith, as I doubt not they will be, it cannot fail to reduce to a very considerable extent the annual expenditures of the State, to give more character to your Legislature, and to impart to its deliberations an energy and a spirit of harmony without which nothing can be accomplished that will permanently advance the interests or elevate the character of the State.

In conclusion allow me to renew the expression of my gratitude for the generous confidence you have heretofore extended to me. New relations and new responsibilities call me to different pursuits. But wherever my destiny may be cast—whether my path through life be cheered by prosperous fortune or dimmed and obscured by disappointment, I shall never cease properly to appreciate your kindness and to cherish for you the same feelings of esteem and friendship you have so repeatedly indicated towards myself.

I am, respectfully,  
Your obedient servant,  
JOHN W. POTTS.

FOR THE TARBORO' PRESS.

Mr. Howard: In submitting to your readers the following remarks, I disclaim any wish to reflect upon the moral character of the Commissioners of the Town of Tarborough. They are gentlemen above the imputation of dishonest motives. But, Sir, the truth should be told, and told it shall be.

During the session of 1831-32, certain over-wise and over-temperate persons procured the passage of an act of the Legislature, that no persons should be entitled to license to retail spirituous liquors within the limits of said town, without having first procured a recommendation from the acting Commissioners. By virtue of this special act, I understand that the Commissioners have determined to give no such recommendation unless they be keepers of public inns! Why it is that the keeper of a public inn necessarily has a better moral character, or for what reason he is more entitled to certain privileges than other men, I am at a loss to conceive. Nor can I comprehend why a

man is not as subject to get drunk at a bar, as at a confectionery. Neither can I conceive why a man could not as easily get drunk on spirits for which he should pay ten cents the half pint, as for which he gave twenty cents the half pint. Now, I am not an advocate for intemperance, but I am an advocate for equal rights. Suppose it be law that certain merchants in Tarborough, and alone, should be entitled to the privilege of selling certain articles. Would any man say such a law was not iniquitous? Nay, would not such a principle, if extended to its legitimate extent, give a fatal stab to civil immunities beseech the Commissioners to reflect a moment upon what they have done. Is there any objection to the moral character of the retailers of ardent spirits in Tarborough. I understand you and I apprehend that they stand as fair in point of honesty and morality as any body in town. Commissioners themselves not excepted. Why then disrobe the of the very privileges extended to their fellow-townsmen? Is it the purpose of preventing intemperance? Is it for the purpose promoting the morals of the town? If so, a moment's reflection ought to satisfy every one, that however commendable the motive, the subject is perfectly unattainable. You might as well "sing psalm to a dead horse," or "show pictures to a blind man," as attempt to arrest the progress of intemperance by such means. It is a moral evil, but an evil which is not to be cured by restraint. Free men will be in this regard as they please, although the Commissioners of Tarborough may prevent certain persons from retailing, they cannot prevent others from drinking ardent spirits. In short, Sir, conceive the principle dangerous in theory and iniquitous in practice. Fiat justitia ruat cælum.

A FREE MAN.

TARBORO' PRESS.

FRIDAY, JANUARY 9, 1835.

In the preceding columns you have found the valedictory of J. W. Potts, confirming the report recently circulated that he contemplated moving from this place. During his residence here the Doctor has won for himself the esteem and confidence of our citizens, the best evidence which has been thrice repeated, his obtaining the highest number of votes for a seat in the General Assembly—commencing after a personal acquaintance of only about two years. We doubt not they will cordially reciprocate the kind expressions of their talented representative mingled with sentiments of regret, the probability of their being henceforth deprived of his presence, his counsel, and his services.

Congress.—During the holidays nothing of consequence has been transacted in either House of Congress. In fact, it is generally supposed that this will be one of the most uninteresting sessions that has been held for several years. The Constitution limits its duration to the 4th of March, and we presume the interest will be principally occupied in a profitless discussion of the merits and demerits of the reports of the Bank and Post Office committees. On the 31st ult. Mr. Adams delivered an Oration on the life and character of Lafayette, in the presence of both Houses.

Snow.—On Monday last we had a fall of snow to the depth of ten or twelve inches. The weather continuing severe, it has enabled our citizens to enjoy the northern pastime of sleigh-riding on as good bottom as could be desired, but not with such convenient and elegant conveyances as our northern brethren possess. It is still intensely cold, with shivering indications of more snow. The mails have become very irregular, in consequence we presume of the snow and the severity of the weather.

Raleigh, Jan. 6.

Adjournment.—The Legislature will doubtless adjourn *sine die* during the present week.

Pleasant W. Kittrell of Anson, was elected a Trustee of the University of this State, on Thursday last.

General Cameron and Mr. Mhoon, have resigned their situation as Commissioners for superintending the re-building of the