

yet we must say that the result of the recent election has added zest to our opinions in their favor, and we have no doubt that the result has evinced, beyond controversy, that party attachments and personal predilections are not strong enough to warp the people's fidelity to their own convictions, or shake them from their purpose.

### OHIO.

From the New York Patriot, November 17. Extract of a letter from a gentleman in Ohio to his friend in this city.

"The election for our state legislature has just closed. Morris and Houston are elected by overwhelming majorities, and General Sutton by about 50 votes over Col. Caldwell. All these are firm friends of Mr. Calhoun's cause; and the senator's election turned almost entirely upon that question. Butler county has changed its representatives, and elected Mr. Calhoun's friends. General Newcomb is elected a Senator from Montgomery county, and is also friendly to our cause. The same is the result in Miami and Shelby counties. You will see by this, that the good cause is progressing finely. Mr. Clay's prospects are becoming less promising; many who were at first inclined to his cause have left it, and nearly all joined the ranks of Mr. Calhoun, who is regarded as most capable of serving the great interests of the nation. Mr. Crawford has no interest in the western country. In almost all the counties of this state, west of the Scioto, the public opinion is at present divided between Mr. Adams and Mr. Calhoun, the latter of whom is evidently rising in that quarter. He will have a greater number of friends in our legislature this winter than any of the other candidates."

### Legislature of North-Carolina.

#### SENATE.

Friday, Nov. 21.

Mr. Cameron presented the following resolution, which was read three times, passed and ordered to be engrossed:

Whereas the Honorable William Norwood, Esq. one of the Judges of the Superior Courts of Law and Equity of this State, was prevented by extreme illness from holding all the Courts in the circuit to which he was allotted this fall:

Resolved, That the Public Treasurer be, and he is hereby authorized and required to pay to the said William Norwood the full sum he would have been entitled to receive from the public Treasury, in like manner as if he had held the courts in the Circuit assigned to him: And for so doing, this shall be his warrant.

On motion of Mr. Graves, the following gentlemen were appointed a select committee on the Militia Laws, and public arms of the state, viz. Messrs. Graves, Brittain, Williams, M'Leary, and Ward.

The following persons are appointed on the several select Committees, ordered on the message of the Governor:

On Internal Improvement, Messrs. Cameron, Burges, Legrand, Caldwell, & Hatch of Wayne.

On Agriculture, Messrs. Hatch, of Jones, Phifer, Gray, Harrell, and Hethcote.

On Criminal Law, Messrs. Martin, Wellborn, Bryan, Graves and Shipman.

On Cherokee Lands, Messrs. Seawell, Love, Forney, M'Leod, Brittain—and pursuant to a Resolution presented by Mr. Sneed.

On Education, Messrs. Sneed, Hill of Franklin, Whitfield, Ward Hill, of Stokes.

On the Library Committee, Messrs. Forney, Bryan and Bullock.

The committee appointed to conduct the balloting for Engrossing Clerk, reported that Mr. John C. Eringhaus was duly elected.

Mr. Gray presented the petition of Jane Wellborn, of Randolph county, praying the passage of a law securing to her such estate as she may hereafter acquire; and Mr. Ra'ier the petition of sundry inhabitants of the county of Brunswick, in favor of John Chewis; which petitions were referred to the committee on Privileges and Elections.

Saturday, Nov. 22.

The following gentlemen were appointed a committee of Finance on the part of the Senate, viz. Messrs. Hatch, of Jones, Bullock, Flowers, Marshall, Ward, Gray, Martin and Wellborn.

Monday, Nov. 24.

Charles A. Hill, Esq. the Senator from Franklin County, Tho. Burgess, Esq. the Senator from Halifax, and Tho. Cox, Esq. the Senator from Washington County, appeared and took their seats.

Messrs. Cameron, Gray, Wellborn, Phifer, and Burges, were appointed a Committee, on the part of the Senate, on the Resolution, introduced in the House of Commons by Mr. Stanly on Saturday, relative to the public printing.

The following gentlemen were appointed a Committee, on the part of the Senate, on the Resolution introduced by Mr. Alston, of the House of Commons, relative to the Banks, viz. Messrs. Seawell, Vanhook, Phifer, Scales, and Sneed.

Tuesday, Nov. 25.

Mr. Wellborn presented the petition of sundry inhabitants of Wilkes county, praying for the passage of a law to restore to credit Ames Harmon; which was referred to the committee on that part of the Governor's message which relates to the criminal law.

The certificate of the County Court of Mecklenburg, in favor of Leah Beatty, was returned from the House of Commons, endorsed, read, and countersigned by the Speaker of that House.

Mr. Beasley presented a bill to alter the times of holding the County Courts of Tyrrell; also a bill to exempt certain citizens of Tyrrell county from public duty; and also a bill making compensation to jurors of the Superior and County Courts of Tyrrell county; which bills were severally read the first time and passed.

The bill to alter the times of holding the County Courts of Tyrrell, was read the second and third times, passed, and ordered to be engrossed.

The bill to regulate the time of holding the Superior Courts in the fifth judicial circuit, was read the second time, and, on motion of Mr. Wellborn, referred to the committee on the Criminal Law.

Wednesday, Nov. 26.

Mr. Brittain presented the petition of sundry inhabitants of Baucombe county, praying that a company be incorporated for the purpose of making a turnpike road from Asheville, by the way of the Warm Springs, to the Tennessee line; and also a bill to carry the petitioners' prayer into effect. The said petition and bill were referred to the committee on Internal Improvement.

On motion of Mr. Hill, of Franklin, it was

Resolved, That a select joint committee be appointed to inquire into the expediency of amending the Judiciary system, so far as relates to the Circuit Courts of this state.

Messrs. Hill, of Franklin, Martin, Seawell, Cameron and Wellborn were appointed to compose said committee, on the part of the Senate, and the resolution was sent to the other House for concurrence.

On motion of Mr. Cameron, Messrs. Burges, and Hatch of Jones, were appointed a committee on Enrolled Bills.

The bill to exempt certain citizens in Tyrrell county from public duty; the bill making compensation to jurors of the Superior and County Courts of Tyrrell; and the bill to restore to credit John Chewis, of Brunswick county, were severally read the third time, passed, and ordered to be engrossed.

The bill, from the other House, to incorporate the Trustees of the Bertie Union Academy, was read the first and second time, and passed.

Mr. Cox reported, that Michael M'Leary was duly elected Major General of the 4th division of Militia.

Mr. Forney presented a bill to incorporate the Lincoln Agricultural Society; which was read the first and second time, and referred to the committee on Agriculture.

Mr. Gray presented the petition of Wm. Lysle, of Tennessee, praying that the purchase money which he has paid to the state of North-Carolina for certain lands, may be refunded him. Referred to the committee of Claims.

Mr. M'Dowell presented the petition of Elizabeth Wilkins, of Burke county, praying to be divorced from her husband, Wm. Wilkins; which was referred to the committee of Propositions and Grievances.

### HOUSE OF COMMONS.

Friday, Nov. 21.

Yesterday the following standing Committees were appointed:

Propositions and Grievances—Messrs. Love, Edmonson, Polk, McLean, M'Cauley, J. G. A. Williamson, Jones, L. Cherry, Copeland, Hassel, Croom, Blackledge, Leonard, Stephens, Ashe and Alford.

Claims—Messrs. McMillan, Gordon, Martin, Bain, Rainy, Whitaker, Turner, Gary, Elliot, Bell, Helme, Smith Miller, Ward, J. White, and Martin.

Education—Messrs. Graham, Whitaker, Fisher, Flynt, Brown, Clancy, T. Mann, E. Mann, Wilkins, Harrow, Atton, Edwards, Frederick, Oliver, Seawell and Cole.

Agriculture—Messrs. Lowry, Holland, Bodenhammer, Brower, Jeter, Underwood, Alston, Lewis, Mhoon, W. D. Barnard, M'Daniel, Bright, Davis, Campbell, McNeil and McFarland.

Internal Improvement—Messrs. Conrad, Horton Broadnax, Morgan M'ebane, Webb, L. P. Williamson, Davenport, Baker, Vann, Hellen, Jos. Hill, Sidbury, Strange, and D. Underwood.

Privileges and Elections—Messrs. Weaver, Wright, Durgan, Worth, Ramsey Bowers, Bynum, Fox, Webster, Walker, Pugh, Whitehurst, J. H. White, Melvin, Sellers, and Gordon.

Finance—Carson, Shepherd Turner, Taylor, J. A. Bryan, Stanly, and Harrel.

James Iredell, Esq. the member from the town of Edenton, appeared and took his seat.

Mr. Martin, of Rockingham, introduced the following resolution, which was ordered to be printed:

Whereas, many of the good people of this State, believing it essential to the future prosperity of themselves, and their posterity, to amend the Constitution thereof; and having, in the exercise of an unquestionable right, duly elected Delegates from their several counties, for the purpose of proposing amendments to the same, and the Delegates aforesaid having convened in Raleigh agreeable to appointment, and in convention, did agree on sundry amendments thereto, for the consideration of their constituents: And whereas, this House believe it their bounden duty at all times, when fundamental principles become a question, to afford the free citizens of this State an opportunity of expressing and ascertaining their collective sentiments thereon: Therefore

Resolved, That a select committee be appointed, with special instructions to report a bill to this House, for the purpose of causing polls to be opened and held in each county in this State, at the usual times and places of holding elections for members of the next Legislature, for the purpose of ascertaining the sense of the People on the proposed Constitution, and to cause due returns thereof to be made to the next Legislature.

Resolved further, That a thousand copies of the existing Constitution, and the

Constitution as amended, be printed for the information of the citizens of this State.

Mr. Alston withdrew the resolution which he submitted yesterday, instructing the Treasurer of the State to give a statement of the amount of capital stock invested in the several Banks in this State, &c.

Mr. Worth, from the committee of Privileges and Elections, to whom was referred the petition of Jesse Cooper, of Martin County, contesting the election of Gabriel Stuart, a member of the House of Commons from that County, reported favorably to the sitting member; which report was concurred with.

The following Message was received from his excellency the Governor:

I herewith lay before your honorable body, a number of petitions from prisoners confined for capital offences in the Jails of Wake and Franklin counties, praying for a Court of Oyer and Terminer for said counties. Whether the law of 1777, empowering the Governor and Council to cause said Courts to be held when they shall think it advisable, is deficient, inasmuch as it does not make any provision for the coercive attendance of clerks, clerks, or witnesses, I shall leave to your better understanding.

These petitions being presented to me but a short time previous to your session, I have thought proper to submit them to your wisdom.

I also submit to your honorable body, sundry important papers, touching the interest of titles to the Cherokee lands, ceded by them in treaty to the United States in 1817 and 1819.

I have the honor to be, Gentlemen, your obt' serv't,

GAB. HOLMES.

On motion, so much of the above Message as relates to the petitions of prisoners, was referred to the committee on the Judiciary; and so much as relates to titles of the Cherokee Lands, was referred to the standing committee on that subject, and the Message sent to the Senate.

The following gentlemen were named as the Library committee, on the part of this House: Messrs. Fisher, Brodnax, and Thomas N. Mann.

On motion, that part of the Governor's Message relating to the Indian reservation of lands, was referred to a select committee, composed of the following members: Messrs. M'ebane, Iredell, Carson, Croom, and Brown.

Saturday, Nov. 22.

Mr. Ashe presented the petition of sundry inhabitants of the counties of Cumberland and Bladen, praying for a repeal of a law passed at the last session, directing the running of the dividing line between the said counties; which was ordered to lie on the table.

On motion of Mr. Turner, it was resolved, that all resolutions, the object of which is to draw money from the public treasury, be read three times in each house.

Mr. Alston withdrew the resolution submitted by him on Thursday last, relative to the Banks of this State, and substituted the following, which was sent to the Senate for concurrence:

Resolved, That a joint select committee be appointed to inquire into the state and condition of the several incorporated Banks in this State; whether their Notes are at this time redeemed agreeably to their charter with specie; and, if not, to ascertain when the said Banks will be ready to resume specie payments; and also to inquire whether the Notes of said Corporations, or any of them, have depreciated from their extrinsic value, and if they have so depreciated, to investigate and report the means, if any, of improving and sustaining the credit of said notes.

Mr. Stanly introduced the following resolution:

Resolved, That a joint select committee be appointed to inquire whether the Public Printing cannot be done with more economy than under the existing laws, either by special contract or otherwise; and that said committee report by bill or otherwise.

This resolution was adopted, and Messrs. M'ebane, Blackledge, Shepherd and Strange, were appointed a committee, on the part of this House, in pursuance thereof.

The following Report was received from the Public Treasurer; which was read, referred to the Committee on Finance, and ordered to be printed:

To the hon. the General Assembly of the State of North-Carolina.

GENTLEMEN:

By the Laws of the State, it is made a part of my official duty to inform you, that the Receipts at the Treasury of N. Carolina for the year commencing with the first day of November, 1822, and ending with the last day of October, 1823, including sundry payments of arrears, and the public taxes of every other description which became due, and were paid at the Treasury of this State within that period, together with the Dividends declared by our State Bank on the stock or shares held in it by N. Carolina; the purchase money or proceeds of the vacant and unappropriated lands lately entered, and paid for in course of the time above mentioned; and the collection made from the bonds given by the purchasers of the Public lands near Raleigh, which were sold in 1820, amount to one hundred and fourteen thousand six hundred and thirteen dollars and seventy-four cents and one sixth of a cent (\$114,613 74 1-6).

To this sum, the balance remaining in the Treasury on the first day of November, 1823, and thereafter to be accounted for, as reported to the last General Assembly, being added, to wit: one hundred and fourteen thousand four hundred and sixty-one dollars and ninety-nine cents, an aggregate amount of two hundred and twenty-nine thousand and seventy-five dollars seventy-three

cents and one sixth is formed (\$229,073 73 1-6).

From this sum total, disbursements have been made within the time first above mentioned, including the Treasury Notes and other monies burnt, to the amount of one hundred and nineteen thousand three hundred and fifty-two dollars fifty-one cents and one third of a cent (\$119,528 31 1/3). The vouchers for which have been handed over to the Comptroller, and are, of course, in readiness for the examination of the Committee of Finance.

This expenditure, being deducted from the aggregate amount above mentioned, will be found to leave a balance of one hundred and nine thousand seven hundred and twenty-three dollars twenty-one cents and five sixths of a cent, remaining in the Treasury of this State on the 1st day of November, 1823, and hereafter to be accounted for (\$109,723 21 5-6). It may be proper, however, here to observe, that three thousand one hundred and eighty-seven dollars and eleven cents of this balance, being the proceeds of vacant lands entered and paid for, are appropriated by law for the promotion of Agriculture, &c.; which being deducted, will leave one hundred and six thousand five hundred and thirty-six dollars and ten and five sixths cents only, for the ordinary purposes and support of government.

In the printed statements, furnished by the Comptroller for the use of the members of the present General Assembly, the several items forming the reception and expenditure above mentioned, will be found, entered in their proper places and under different heads.

The nett amount of the dividends declared by the President and Directors of the State Bank, upon the shares held in it by North-Carolina, including as well the dividend of December, 1822, as that of June, 1823, (after deducting the interest claimed and retained by that corporation, as due it under the provisions of the act of Assembly of 1811, on account of the unpaid for shares of the stock held therein by this State, up to the first Monday of December last,) was eighteen thousand and nineteen dollars and seventy-six cents of which sum thirteen thousand seven hundred and sixty-two dollars and sixty-five cents were paid over to the Public Treasurer by the officers of that Bank, in money of the emissions of 1783 and 1785, and were thereupon burnt and destroyed, as the law directs: The remainder, being four thousand two hundred and fifty-seven dollars and eleven cents, was had in notes of the Bank, there being, at that time, no more money of the emissions above mentioned in the vaults of the Bank.

Of the sum of one hundred and nine thousand seven hundred and twenty-three dollars twenty-one and five sixths cents above mentioned, as being the balance due and payable from the Public Treasurer to the State of North-Carolina, on the first day of the present month, viz. on the first day of November, 1823, fifty-three thousand seven hundred and thirty-eight dollars and eighty-three cents are deposited and stand at my credit, as Public Treasurer, in the State Bank of North-Carolina, at Raleigh;—thirty-six thousand nine hundred and ninety-one dollars and twenty cents are deposited and stand at my credit, in like manner, in the Bank of Newbern, in Raleigh; and seventeen thousand two hundred and eighty-nine dollars and thirty-six cents are deposited in like manner, and stand at my credit, as Public Treasurer, in the Bank of Cape-Fear, at Fayetteville: The remainder is in the public chest, and is kept there to be at hand and in readiness to meet the demands or expenditures of the day.

In the month of December last, John Patton, esq. the Commissioner, appointed by Gov. Holmes, to superintend the selling, &c. of the lands belonging to this state, commonly called the Cherokee Lands, paid into the Public Treasury, the sum of three thousand seven hundred and seventy-three dollars and fifteen and an half cents (\$3,773 15 1/2), being the nett proceeds of the sales made by him, and which had come into his hands in cash, as commissioner aforesaid: which sum was forthwith, and agreeably to law, placed at the credit of the Board of Internal Improvements; as has been likewise and since that period, in the course of the late fiscal year, the further sum of five thousand eight hundred and eighty-three dollars and forty-nine cents and three quarters (\$5,883 49 3/4) collected from purchasers at the sales made by Messrs. Franklin and M'ebane, and Wellborn and Taliaferro.

Col. Patton, the commissioner above mentioned, at the same time, handed over likewise to the Treasury, the bonds taken to secure the payment of the balance of the purchase money of the lands sold by him as aforesaid, amounting to twenty-eight thousand seven hundred and ten dollars and sixty-five cents (\$28,710 65); the whole of which were placed on file, none of them having become due or payable, until very lately.

The Public Treasurer has rendered to the Board of Internal Improvements an account of his Receipts and Expenditures from the 1st of November, 1822, to the 1st of November, 1823, embracing the sums above mentioned, together with all other monies received by him, which are subject to its Drafts or dispo-

sal; which shows or leaves yet to be accounted for, the sum of one hundred and thirty-one thousand three hundred and thirty-one dollars thirty-eight and one half cents (\$131,561 38 1/2).

From the statement which commences this report, it will be seen, that the expenditures or disbursements at the Treasury for the last year, including the money burnt, exceeded the Balance which remained in the Public Treasury on the 1st day of November, 1822, by several Thousand Dollars.—It is believed, however, that in course of the present fiscal year, the Dividends which will probably be declared by the State Bank on the Stock held in it by this State, being well nigh disencumbered and released from the redemption of the old paper Money, will so materially add to the balance remaining in the Public Treasury on the 1st day of November, 1823, already and above reported, as to render it fully and perhaps more than commensurate to the support of Government.

Much and respectfully, Gentlemen, Your obedient servant,

JOHN HAYWOOD,

Public Treasurer.

The Exposes or Statements of the affairs of the three several Banks of the state, required by a Resolution of the last Assembly, will be laid before the Legislature on Monday next. J. H. Raleigh, Nov. 22d, 1823.

Mr. Robert H. Jones, a member from Warren county, appeared and took his seat.

Mr. Roane presented the petition of John Burgin, James Moore, and others, praying for the passage of a law, defining what penalty shall be imposed for the breach of that part of the Constitution of this State, which says, "no persons shall be at liberty to exercise their own mode of worship," which was referred to the Judiciary Committee.

Mr. Fisher presented the petition of Michael Rymer, of Rowan and Iredell presented the petition of Thomas Small, of Chowan, praying to be restored to credit; which were referred to the committee of Propositions and Grievances.

On motion of Mr. Baker, it was Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of so amending an act of the General Assembly passed in 1808, to amend the act, passed at the last session of the General Assembly, to allow interest on judgments recovered in actions brought on contract, as to mitigate the severity of executions in such a way as to secure to the widows of persons who die intestate, such portions of the property now exempt by law from execution, as they may think proper; and that the said committee have leave to report by bill or otherwise.

On motion of Mr. Campbell, the committee on the Judiciary were instructed to inquire into the expediency of altering the law of Landlord and Tenant, so as to provide a shorter and less expensive mode for dispossessing tenants who hold over, and to secure to the landlord his rent; and that they report by bill or otherwise.

Mr. Jones presented the petition of Jarratt Weaver, of Halifax County, praying to be allowed the valuation of a runaway Negro Slave of his, who was killed in attempting to arrest him. Mr. Webb presented the petition of Edward Owen, of Person County, praying to be restored to credit. The former was referred to the Committee of Claims, and the latter to the Committee of Propositions and Grievances.

Mr. Martin presented a Bill to repeal the 5th and 6th sections of an act, passed in 1820, entitled "an act to prevent the marriage of infant females."

Mr. Leonard, a Bill to repeal an act, passed in 1813, entitled "an act to amend the sum hereafter to be paid to State for vacant lands."

Mr. Hunter, a Bill to repeal an act, passed in the year 1806, entitled an act to revise the militia laws of this State, relative to artillery companies of light Infantry Grenadiers and riflemen.

The foregoing Bills passed their first readings.

Mr. Stanly presented a bill, to amend an act, entitled an act regulating the debts, passed in 1803; which was read and referred to the Judiciary Committee.

Mr. Mhoon, a bill to incorporate the Trustees of the Bertie Union Academy.

Mr. Roane, a Bill to repeal an act, passed in 1822, entitled an act to amend the time of holding two of the Courts of Pleas and Quarter Sessions in the county of Burke.—Which bills were read the first time.

Tuesday, Nov. 23.

On motion of Mr. Wilkins, it was Resolved, That a select committee be appointed to inquire into the expediency of amending the 9th and 10th sections of an act of 1813, amending the militia laws of this state, in such a way as not to require the execution of the several penalties contained in the 10th section of said act for a failure to observe, in every particular, the requisites of the 9th section of said act; and whether less penalties than those mentioned in the 10th section would not answer a better purpose.

The said resolution was referred to a committee, composed of Messrs. Wilkins, Sellers, Smith, Campbell and Key.

Mr. Roane presented the petition of Jacob Smith and others, citizens of Burke county, praying the obstruction to the passage of fish up Lower Cape Fear in said county, be removed by law. Lamon presented the petition of