State of North Carolina, Rutherford County. Equity-Fall Term, A. D. 1839.

T. P. BIRCHETT, 48 3m

ate of North Carolina, Warren county. Bouity-October Term, 1829.

the said defendant to appear at the the Court of Equity for Warren on said at the Court of Equity for Warren on third Monday after the fourth Mach next, and plead, answer or de

JNO. BRAGG, C. M. E.

State of North Carolina,

Hertford County.
In Equity—Fall Term, 1829.
John A. Anderson

CARR DARDEN, C. M. E.

State of North-Carolina. rior Court of Law and Equity-

Fall Term A. D. 1829. IN EQUITY.

beased, and Matthew C. I thereto.

Defendants.

Lading the Bill and Answers, and on mobile delendants' council, it is ordered, or referred to the Clerk and Master to account of the lands and alayes sold by indants, Hardes and Cobb, under the Will Lestator: also an account of all debts due at the C. Turner at the death of the tensewing to whom the said debts respectiveding, on what consideration founded, how sed, and how much of said debts so due at mtor's death nemain due and impaid. And other ordered that all the creditors of the lattices C. Turner do appear before the latter exhibit their claims and prove the and that each creditor lailing so to appear a crejuded from now share of the funds it adds of the Executors: Provided a copy or der shall be inserted for aix successive in the Halifax Miserva and Raleigh Saider with a notification of the time and that

A COPY. idences in support thereof; other it will be taken exparts as to comply with this notice. JOHN D. AMIS, C. M. E.

State of North-Carolina.

REPORT

mbly of the State of North Caroli

further improvement of the national Cupe Fear river below ogton, the Board continued the operations of the dredging boat Bulkhead shoul until the 15th of July last, at which period all on the Bulkhead shoul until the 15th of July last, at which period all agency in this work, no the part of the State, ceased, for reasons here-after explained. The effect already produced, has been clearly and no report has been received from alther decidedly advantageous to the town of Wilmington, and to the wide and extended range of country dependent on the Cape Fear fo, an outlet to the ocean. The depth of water on the upper shoul, at high tide, is not less than fourteen feet; and the channel opened through it, is now used by all vessels coming into and departing from that port. The sum expended of the appropriation of the last session, amounts to \$2.498 16. leaving an unexpended balance in the treasury of \$6.421 84, which will more fully appear by reference to the account of the Super-intendent, herewith submitted. The further prosecution of the work, at the expense and under the authority of the State, has been arrested in consequence of an appropriation of \$20,000 by Congress, for the in consequence of an appropriation of \$20,000 by Congress, for the purpose of improving the navigation of Cape Fear river below Willer, to report annually to the Board of Information. The circumstances under which this appropriation was obtained from Congress, have been fully explained in the message of the Governor at the commencement of the present session; and it is therefore deemed unnecessary further to remark on this subject, than to state that the Secretary of War proposed to also the different control of the present session; and it is there. state that the Secretary of War proposed to place the disbursement of the whole sum under the control of the State authorities. The acceptance of this proposition was declined by the Board, on the grand that the aid of a skilful engineer was indispensable to the proper location and execution of the various works connected with the improvement of the navigation, and that there was no such officer in the service of the State. The works are now progressing under the authority of on the Resolutions of the Executive Com the government of the U. States upon an enlarged plan of usefulness, miller; particularly that branch of it, which in a satisfactory manner, and will no doubt soon be completed to the relates to the mode of electing the Go incalculable advantage of the district of country particularly interest. ed in the navigation. The dredging boat and tools were delivered over to Captain Blaney, of the corps of United States' Engineers, under whose direction the orks have been placed, and will form a proper charge against the General Government for the calue thereof, if it should be the pleasure of the General Assembly to order them sold. In connection with this subject, the Board ask leave to state, that the dredging boat was purchased in the year 1825, on the recommenda tion of Hamilton Fulton, then the Civil Engineer of the State, who considered it not only necessary for opening the shoals below Wilmington, but that it would also be of material advantage in removing obstructions to the navigation of Cape Fear river between that place and A substitute was finally proposed by Mc Fayetteville. It is proper further to remark, that at this time the Cape Fear Navigation Company had placed the dishursement of their funds, and the entire control of their works, under the management of the Board of Internal Improvement. The Board, confiding in the opinion of Mr. Fulton as to the utility of using the dredging boat as well above as below Wilmington, thought it right and proper, that as the Cape Fear Navigation Company would participate in the benefit, it was but reasonable for them to bear a portion of the expense attendin ing the purchase. It was therefore ordered, that the sum of \$3,000. lously supported by Mc. Naylor, and ably one out of the funds of the Company, should be applied to this object; and controverted by Messrs. Leigh and Giles. the same was paid towards purchasing the boat. More than four years It was finally rejected, without division. have now claused since the purchase was made, during the whole of but apparently by a very large majority which time the dredging boat has been exclusively employed below of the Committee of the Whole. Mr. Wilmington, having rendered no sort of benefit whatever to the naviration of the river above that place. It is now much worn from constant use, of course considerably reduced in value, and it is confidently believed will never be of any service to the Cape Fear Navigation Company. Under these circumstances, the Board have felt it to be their duty respectfully to bring this matter to the consideration of the Legislature, with whom it is alone competent to afford such relief as

may be considered equitable and proper. In obedience to a resolution of the General Assembly, passed at the last session, the Board, through their President, applied to the President and Directors of the Yadkin Navigation Company for the information sought to be obtained by that resolution. Their report on this subject, affording the desired information, has already been commu-

nicated by Governor Owen.

The annual report of the President and Directors to the Stockholders of the Roanoke Navigation Company, with accompanying documents, is herewith submitted. The improvements already made to the navigation of Roanoke, Dan and Staunton rivers, promise the most beneficial results to a large and fertile extent of country. A trade of great activity and importance will open through the Roanoke canal during the ensuing winter and spring, onder the most encouraging anspices; and no doubt is entertained of its being in the power of the Company to declare a dividend at their next meeting in the fall of 1830. The affairs of the Company are represented to be in a flatter-ing condition, and they are progressing with the remaining improve-ments necessary to be effected, with great activity and undiminished

The act of the last session, making an appropriation in aid of the Clubfoot and Harlow creek canal, upon certain terms and conditions therein set forth, has been carried into full effect. The Board entertained no doubt of the asefulness of another lock in the canal; nay they considered it of almost indispensable necessity, and having decided in favor of its expediency, the Public Treasurer made to the Company the loan contemplated by the provisions of the act relating to this subiect. No report has been received from the Company either in regard to the manner in which it has been applied, or in relation to the condi-tion of their affairs generally, in which the State has an interest of some importance. Information has been received, however, from a source entitled to the fullest confidence, that the loan has been faithful y applied to the object for which it was granted; that a suitable lock mawering the most sanguine expectations, has already been construct-d; and that the usefulness of the canal is daily made more manifest

by increased transportation upon it.
In pursuance of an act of the last session of the General Assembly,
the Board of Internal Improvement caused a survey for a road to be

In pursuance of an act of the last session of the General Assembly, the Board of Internal Improvement caused a survey for a road to be made from Ehenezer Pettegrew's canal to Celhoon's lake in Tyrell county, the plat of which accompanies this report. No further measure has been adopted by the Board, under the provisions of that act, because no information has been received that the road first confeminated to be opened by Ebenezer Pettegrew and Thomas Dumbar through their lands, has yet been constructed.

No report has been received from the Cape Fear Navigation Company, Mr. James Medane, who superintends the works now progressing or that river above Fayetteville, will probably make a report in a few days, which, when received, shall be communicated without delay at a suit in equity has been instituted against the Board of Internal Improvements by Green B. Palmer, under a contract made with him in 1824, for opening and improving the navigation of Broad river in the county of Rutherford. It appears that the whole work, was to have been completed by the first of November, 1828, in December, 1828, much of it still esmained to be finished; and that it was neither commenced at the South Carolina line, as required by the Caivi Engineer, non executed according to the terms of the runtract.

For these reasons, as the Board is now informed and befleve, the contract was declared will and void on the 4th of December, 1829, and Mr. Palmer informed thereof. He has received under his contract twas declared will and void on the 4th of December, 1829, and Mr. Palmer informed thereof. He has received under his contract twas declared will and void on the 4th of December, 1829, and Mr. Palmer informed thereof. He has received under his contract twas declared will and void on the 4th of December, 1829, and Mr. Palmer informed thereof. He has received under his contract twas declared on the resolution of Board at that time thought to be made the resolution of the remained to be first of the proposition, in the contract was declared

Raleigh, 28th Nov. 1829.

Saturday, Nov. 28 Progress of the Convention - Since our last, a new cause has been called in the docket. During the two last days, the Convention has been principally engaged vernor. - The question has been discussed, with great spirit and ability, whether he should be elected by the People or the Legislature-and this question has invol ved incidentally the points, whether he should be elected for one year or for a term of three years-and whether the Executive Council should be retained or superseded .- A small majority seemed vesterday to decide, that he should be elected by the Legislature for a term of years, rather than annually by the People. Doddridge, proposing a popular election for a term of years; but at the instance of Mr Randolph, who stated the absence of two members from the south side of James River Mr. D. consented to waive the question, and to pass on to coother resolution, touching the election of sheriffs by the people. This resolution reported by the Executive Committee, was zea Monroe again appeared yesterday on the arena of discussion, in opposition to the election of a Governor by the People.

Richmond Enquirer. Saturday, Nov 28 -On motion of Mr. Onie, the convention again resolved itself into Committee of the Whole, Mr. Barbour of Orange, in the Chair, and resumed the consideration of the Executive Re-

The Sd resolution, abolishing the Ex-

ecutive Council, and declaring it inexpe-

for the present, and the 8th taken up, declaring that no pardon shall be granted by the Executive until after judgment or conviction. Mr. Doddridge moved to strike out the resolution, which motion prevailed by a large majority. The third resolution concerning the Executive Counmoved to substitute it by providing in sub-stance, that the council be reduced to four, to be chosen by joint ballet of the General Assembly, the four to be divided into two classes, alternately to go out every second year, to have the power of first reading. choosing a Lieut. Governor out of their Mr. Powell moved to strike out the latter part of the resolution only (Mr. Nich olas having withdrawn his motion for that purpose) which is in these words, "And that it is inexpedient to provide any other Executive Council." This motion was carried in the affirmative, ayes 55. Mr. Nicholas then moved his amendment as an addition to the first member of the resolution, and the amendment was negatived-ayes S2. Mr. Brodnax subsequently renewed the motion, changing the number proposed for the Executive Council, from four to three, which led to some discussion, when this motion also Mr. Randolph then moved to strike out and Grievances, council, as at present organized, ought to quire into the expediency of so amend

Resolved, That the Legislature shall have power to rearrange the representation in both Houses of the General Assembly, once in every

3d, Of the Federal Numbers.
Provided, that the number of the House of

Delegates shall never exceed 160, nor the number of the Senate, 40.

Mr. Wilson gave notice that he should n the course of the week, submit a moion that the Convention adjourn to the first Monday in October, 1880.

Tuesday, Dec. 1.—The Convention was pricipally occupied in discussing amendments the report of the Judicial Committee.

Wednesday, Dec. 2.—The Convention, in convention, i the report of the Judicial Committee.

Mednesday, Dec. 2—The Convention, in committee of the whole, took up the proposition of Mr. Upshur, submitted last Mooday, relating to the basis of representation. Mr. Madison addressed the Committee, and we understood him to say that he would for the sake of harmony surrender his own opinious in factor of a combined ratio in both the House of Delegates and the Senate, and adopt the white basis for the House of Delegates and the combined ratio in some form, either taxation and population combined, or federal numbers, in the Senate.

Mr. Upshur addressed the Committee in explanation of the basis of his proposition, which was combined of the sais of his proposition, which

planation of the basis of his proposition, which was combined of, 1st, white population, 2d, pop-ulation and taxation combined; 3d, federal num

explain the vote he should give, and expressed his willingness now to come to the mixed tasis in the Senate to effect a compromise. Mr. Williams of Martin, for Cooke deprecated all heated debate. Mr. Leigh committee of Propositions and and moved that it should rise, intending to con-tinue his remarks to day. The Committee dient to provide any other, being read, at then rose and the Convention adjourned. Mr. Mason's instance it was passed by

Legislature of North-Carolina.

SENATE.

Wednesday, December 2. On motion of Mr. Sherard, the petition for the erection of a new county out of a cil was then again taken up. Mr. Nicholas part of Wayne, Edgecomb, Nash and ohnston, was referred to the select committee on that subject.

number, and the privilege of protesting their first reading: The bill more effectus against the acts of the majority. A divi- ally to prevent obstructions to the passion of the question was demanded, and sage of fish up Rocky river joining An-

10th section of the act of 1819, prescrib-ing the mode of surveying and selling the lands lately acquired by treaty from the Cherokee Indians; Mr. Dick, a bill to amend the act of 1824, for the better re-gulation of Greensborough; and Mr. Mosey, a bill to annex part of the county of lones to Lenoir; which passed their first reading, and the last mentioned was rewas decided in the negative-ayes 39. ferred to the committee of Propositions

On motion of Mr. Cowper, the Judiwhich is-"Resolved, that the executive ciary committee were instructed to ining the law relative to stay of executions tived without debate-ayes 39, nees 63, on judgments taken before justices of the peace, as to exonerate securities to orig resolution by adding these words, "and nal notes whenever such executions shall that the governor shall have power to re- be stayed against the will and consent of

the security.

Mr. Allen presented a bill concerning the Buncombe Turnpike Company; which passed its first reading.

Mr. Davidson presented the petition of Hugh M'Cain, of Mecklenburg, praying to be allowed 250 dollars in lieu of that amount of paper currency paid to him for services performed during the Revolution.

Referred to the committee of Claims.

Mr. Dick presented the petition of Mar-tha W. Patrick, of Greensborough, pray ing to be secured in such property as she may hereafter acquire. Referred to the committee of Propositions and Grievan-

Mr. Davenport presented a bitl to le-

spent therein, the committee rose, re-ported progress, and obtained leave to sit again on Friday next.

Mr. Williams of Martin presented a bill concerning the county courts of Martin county; which passed its first

Resolved. That the Legislature shall have bower to rearrange the representation in both flouses of the General Assembly, once in every years, upon a fair average of the following ratios, viz: 1st, Of white population: 2d, of the Federal Numbers.

Provided, that the number of the House of Delegates shall never exceed 160, nor the number of the Senate, 40.

The following shews the principle of representation, as proposed by Mr.

Cooket

The engroused bill more effects illy concerning the liability of certain hands in Lincolnton to work on roads.

That the principle of representation in the House of Delegates should be the equal representation, as nearly as may be, of the free white people in every part of the Commonwealth. That the principle of representation in the Schate should be the equal representation, as nearly as may be, of all free persons taken in connection with three fifths of all other persons, in every part of the Commonwealth; or, in other words, the equal representation, throughout the Commonwealth, of what is familiarly called "Federal numbers."

Also, Wilson cave posice that he should the passage of the prevent obstructions to the passage of the passage of the prevent obstructions to th

The bill to amend the act of 182 for the better regulation of Greenshirough, passed its second and third reacings and was ordered to be engrossed.

Ann T. Wall; and the engrossed bill to allow compensation to jurors in Barke county, passed their third reading, and were ordered to be enrolled.

The bill to repeal so much of the act of 1810 as prevents any person from working seines and nets in Tar river above the mouth of Rishing creek; and the bill to repeal the act of 1828, appointing commissioners on a part of the road leading from Morganton to Avery's turnpike road in Burke county, passed their third reading, and were

ordered to be engrossed.

The resolution to discontinue appropriation for the education support of Miss Udney M. Blakely, was adopted and ordered to be engros-

passage of the bill to authorise Richard T. Brumley, of Lincoln, to erect a gate; which bill passed its second read-

Os motion of Mr. Wellborn, the committee of Internal Improvement were instructed to inquire into the expediency of making an appropriation for opening, reviewing and laying on and altering the road leading from Payetreville to Wilkesborougie, by the way of Moore court house, and from thence to Hontsville, then by Hamptonville, to

mittee on that subject.

Mr. Hoke presented a bill concerning the liability of certain hands in Lincoln ton to work on roads; which passed its dary committee were instructed to infirst reading.

The following engrossed bills passed ing the laws, as to preclude the county their first reading: The bill more effects: courts from receiving any justice of the peace as a security to any constable on

sage of fish up Rocky river joining Anson county to the Mecklenburg lines the bill to authorise the county court of Caswell to enlarge the court house square of that county; and the bill amendatory of the law respecting the crime of bigamy.

Mr. Love presented a bill to amend the 10th section of the act of 1819 prescribing the mode of surveying and selling the and lawfal fence during crop time, an

and lawful fence during crop time. indictable offence.

The resolution, submitted by M. Askew on the 19th attimo, direction the Speaker to assign a suitable platfor one or more atenagraphers, we read and adopted.

The Senate resolved itselfints a committee of the whole House, Mr. Savin the Chair, on the bill to establish Bank on behalf of, and for the bane of the State, and, after some time specticerein, the committee rose, parted progress, and obtained leave sit again.

Friday, Dec. 4.

Friday, Dec. 4.

Mr. Sherard, from the committee to whom was referred the engrossed bill concerning the elections in Carteret county, reported the same with an amendment, which was agreed to 8, the bill was then read the second end third times, passed, and sent to the other linuse for their concurrence in the amendment.

burg: Concurred in.

Mr. Etheridge presented a bill conceroing the numerous of juriors; and
Mr. Burney, a bill granting jurisdiction
to the several county courts to after the names of individuals on appli which passed their first reading.