REPORT

ilding of a Penitentiary in North Carolina.

ct Committee appointed, and to whom was repapers and documents relating to a Penite Asylum, which were presented to the last Leg edell, and who were instructed duly to consiling a Penitentiary in this State, having had deration, respectfully report, that they have mination the several documents transmitted to grade not suited to the offence. Your Committee of the think that public justice, as well as the voice of the country, now a solution for the country in this State, and solventians the emphasizated state of the country at large.

Segundation of the State, and an amount very nearly to consider well be consequences of the voice of the country, now are that although the several funds by them are not appropriated, yet that the will be considered to the consequences of this set. Treasury Department of this State receives annually a considerable will the West form one for itself—and proposition. to the public finances of the State, all of which your Committee stock, which, as has been shewn, amounts to something more than the result of that movement? Every considerable to the public finances of the State, all of which your Committee stock, which, as has been shewn, amounts to something more than the result of that movement? Every considerable to the public finances of the State, all of which your Committee stock, which, as has been shewn, amounts to something more than the result of that movement? Every considerable to the public finances of the State, all of which your Committee stock, which, as has been shewn, amounts to something more than the result of that movement? Every considerable to the public finances of the State, all of which your Committee stock, which, as has been shewn, amounts to something more than the result of that movement? Every considerable to the building of a Penitentiary, would for a few years operate as a state of the movement? Every considerable to the creation of the state? And what will be the result of that movement? Every considerable to the creation shows us the necessity of a patient spirit to the building of a Penitentiary, would for a few years operate as a small check or embarrassment to what is considered as the general difficulties which beset this subject. time for the State to undertake the building of a Penitentiary But your Committee are fully of the belief, that no appropriation to the reception of such convicts as may by law be sentenced to until subject under consideration could be made by the State, which ted. Your Committee are apprized that there exists some variety as your Committee would term more a nice than wise," and be the plans adopted in the different States in this Union, where the found to produce so little embarrassment to the finances of the governibling of Penitentiaries has been undertaken; and that in some of ment. States experiments are now going on, and that so far as the trial Your Committee would therefore recommend, that the several items cted in this State; for if this should be the case, as was obser- mensions heretofore recommended by your Committee. in the report of the Committee last year upon this subject, it awn from the purse of the citizens, who make the contribution by the passage of the accompanying Bill. y of taxes; and your Committee are well aware that large sums are annually expended by the different counties in this State, in payent of costs in reminal prosecutions, and the necessary charges of who undergo punishment inflicted by the present law. Your Committee find there is a great diversity of opinion existing

ong the different persons who have bestowed much attention and ich thought upon the subject of the plan, and upon the subject of The proceedings in the Convention on Saturday last occupy nearly the reasonable of the plan, and upon the subject of the plan, and upon the subject of the plan, and upon the subject of treatment of convicts, sentenced to a certain term of time, or of broadside of this day's paper, besides 2 pages of the Extra, which accompanies it. We were unwilling to mutilate it—and we knew no better mode of the river. In the urgency of the case, two 18 to whom was referred the bill for the results of perhaps the most memorable day of his protracted Convention.

It was interesting on many accounts. The "all-absorbing question" of the sails of Representation came up again to be decided. The ayes and the sails of Representation—it was tried on the convention on Saturday last occupy nearly the of the river. In the urgency of the case, two 18 to whom was referred the bill for the cut of the river. In the urgency of the case, two 18 to whom was referred the bill for the river. In the urgency of the case, two 18 to whom was referred the bill for the river. In the urgency of the case, two 18 to whom was referred the bill for the river. In the urgency of the case, two 18 to whom was referred the bill for the river. In the urgency of the case, two 18 to whom was referred the bill for the river. In the urgency of the case, two 18 to whom was referred the bill for the river. In the urgency of the case, two 18 to whom was referred the bill for the river. In the urgency of the case, two 18 to whom was referred the bill for the river. In the urgency of the case, two 18 to whom was referred the bill for the river. In the urgency of the case, two 18 to whom was referred the bill for the river. In the urgency of the case, two 18 to whom was referred the bill for the river. In the urgency of the case, two 18 to whom was referred the bill for the river. In the urgency of the case, two 18 to whom was referred the bill of the river. In the urgency of the case, two 18 to whom was referred the bill of the river. In the urgency of the case, two 18 t er excitement to villainy and crime, than where the convicts are mined promisenously together, or where two, three, or more are aced at night, and on Sabboth days in the same apartment.

Your Committee are further of the opinion that a Penitentiary ould be erected upon a plan sufficiently extensive to contain from

rth an estimate of the probable cost, and also as to the point for cation; and the former being a matter of considerable, and the late a matter of some importance, and perhaps high interest with a retion of the community, and your Committee not considering that nt, at least, as regards location as being specially referred to them, ould wish to be understood as leaving that matter entirely with the egislature to determine. Your Committee, however, would suggest at for a Penitentiary in North Carolina, some fown of considerable ade, and convenient to navigation, would be the most suitable, and at consequently Newbern, Wilmington or Fayetteville, would be refered to the city of Ruleigh. But as Raleigh is the seat of go-ernment, and a Penitentiary at this place could be more immediately uder the juspection, if not control, of the Legislature, your comiffice would not be disposed to object to Raleigh; but leave the ppropriations from time to time by the State, as the finances of the ed up Messrs. Thompson, Johnston, and Mercer—and the remarks of Mr. ountry would allow, and circumstances require, to an amount less than Mercer called up Mr. Upsher—and some scenes were developed to the 100,000, would probably not answer the purposes intended, and mittee are desirous that whatever sum should be required for the ling a Penitentiary might be raised with the least embarrassment nearly 6 hours. id,) and without appropriating the whole or any part of some of the veral funds already set apart and appropriated by the State for other sportant and useful purposes; for your Committee would take this casion of expressing their disapprobation of converting the fund set State of North Carolina certain funds, and that, to a considerable ount, which as yet remain altogether unappropriated to any parti-ar purpose, all, or any part of which, as the Legislature may deem pedient, your Committee have no hesitation in recommending should ce be appropriated and set apart for the purpose of building a sitentiary at some suitable place in this State, to be fixed upon by e Legislature.

STATEMENT OF UNAPPROPRIATED FUNDS. slance due from the late Public Treasurer on judg-

ment in Wake county court, as per Treasurer's Reg22,166 04 fort, 1828, f4 shares

shares of stock in State Bank (As per Treasu-292,900 00 rer's Report of shares in Newbern Bank shares in Cape Fear Bank

an to John Mills Balance due for sales of land under an act of Assembly of 1828

seembly by the late Governor Iredell, and the report above statement, there is a portion thereof not only unavailable at the question of the Joint Select Committee to whom said present time, but a part which probably never can be collected. But of ments were referred last year; from all which, and from the inments were referred last year.

While the convenience is the inments were referred last year.

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While the convenience is criminal jurisprintence of the country, and that nothing would the whole will be available in the course of five years, with an accumulation of more than \$70,000 in addition thereto, except a part of the opinion that numberless are the of the judgment in Wake county court, and a part of the balance yet a now of a capital nature, by our criminal code of laws, which due for the sales of lands near Raleigh, and the balance yet a capital nature, by our criminal code of laws, which due for the sales of lands near Raleigh, and that in the course of the act, owing to the severity of punishment annexed year 1830, by adding the dividends on the Bank stock, there will be lar branch of the Legislature. and that various are the offences which go unpunished, \$29,074 62 at the command of the State, and an amount very nearly

notwithstanding the embarrassed state of the country at large, sum from one of these sources, to wit: The dividends on the Bank

rgo a term of service at hard labour, instead of the present mode of would operate so completely to scenre an ample fund for the object insonment, or other punishment, in various cases, now by law in- tended, and, at the same time, give so little cause of complaint to such

been made, that the system has generally, if not in all cases, enumerated and set forth in the statement beretofore made, should be wed expensive to the State Government; some in a greater, and appropriated and set apart for the building of a Penitentiary in this in a less degree, depending much upon the management thereof; State; and your Committee would not hesitate to say, that the several even should it prove, after being crected, a small annual expense funds, when taken together, would form an amount sufficient to meet State, your Committee would still be disposed to recommend even the most extravagant calculations, as to the cost and expense of system and the adoption of the measure, to have a Penitentiary building a Penitentiary in North Carolina of the description and di-

Under this view of the subject, and from the belief that the Periten ight, and probably would turn out to be a saving to the State at last; tiary system would be very generally approved by the citizens of the whether money be expended by the county, or by the State, it is State, your Committee recommend the adoption of the measure, and

> Respectfully submitted. GEO. C. MENDENHALL, Chairman pro tem,

## VIRGINIA CONVENTION.

From the Richmond Enquirer.

Tuesday, December 22. The proceedings in the Convention on Saturday last occupy nearly the

the mixed basis in the H. of D., and the federal basis in the Senate: on the plan of taking Mr. Gordon's apportionment for the present, and a prospec tive re-apportionment in the year 1841, and every 20 years thereafter, founded on the number of free white inhabitants for the 11. of D and on the federal basis for the Senate. But, all these propositions were lost, and the Your Committee feel themselves something at a loss as to setting the only proposition for the Basis of Representation, which was found to unite a majority of votes, was Mr. Gordon's resolution, which adopted no specified basis, and provided for no prospective apportionment.-This reselution prevailed by a majority of 14 votes. It is as follows: Resolved. That the representation in the Senate and House of Delegates of Virgin

shall be apportioned as follows:

"There shall be 13 Senators west of the Blue Ridge of Mountains, and 19 east

"There shall be in the House of Delegates 127 members, of whom 29 shall be elect ed from the District west of the Allegbany Mountains, 24 from the Valley between the Allegbany and Blue Ridge, 40 from the Blue Ridge to the Head of Tide Water, and 34

But what made this day still more interesting, were the Speeches which were delivered just before the vote was taken-As the chair was in the act of propounding the question, Mr. Cooke of Federick arose to address the House. He rose to give his reasons at large for voting for Mr. Gordon's resolution-He was followed on the same side by Mr. Henderson of Loudoun-The speeches of these gentlemen are this day laid before our atter as before, after these suggestions, without intending readers, and they will best speak for themselves. But we cannot transfer the least to embarrass the general proposition referred to to this paper the earnest and empathic and elequent manner with which ar Committee for consideration, to with the propriety of North they poured forth their sentiments. Few are the scenes, which, during this arolina proceeding to build and establish a Penitentiary; and Convention, have equalled this one in the intensity of feelings that it pro sto the probable cost thereof, your Committee would suggest that duced. The speeches of Messrs. Cooke and Henderson, successively call-

House, which had been exhibited elsewhere, and which seem to have affectaddition to this sum might be found necessary; and as your ed in no slight degree the Proceedings of the Convention itself.—The House did not adjourn till after sun-set, having protracted their session

Yesterday, a new scheme for future apportionment, founded on the basis the public finances of the government, and at the same time in the of qualified voters, was presented by Mr. Stuart, laid upon the table and or st satisfactory way to the citizens of the State; and for this purpose dered to be printed.—After having passed through the remaining resolutions of the Legislative Committee, the Chair passed on to the Executive Report. resources of the State; and with as much circumspection as they The 1st amended resolution, which came up from the Committee of the whole, directs the election of the Governor by the Legislature. Mr. Mertate is raise funds to an amount, and as fast as might be deemed sufcient to justify an undertaking of such magnitude and great expendures, without resorting to taxation for that purpose, (which your
committee with the greatest reluctance could ever submit to recomliterary for the free members, and the first for appointing a
committee with the greatest reluctance could ever submit to recomliterary for the free members and the first for appointing a
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literary for the first for appointing a first for appointing a first for appointing a
literary for the first for appointing a first for a first f Lieutenant Governor, in the same manner as the Governor, was also lost.—
From the Debate which took place on these two propositions, it seemed sufficiently obvious, that the fate of Mr. Mercer's proposition had been affected by the basis of representation, one gentleman at least declaring that, since the vote of Saturday in favour of Mr. Gordon's resolution, he had determine part for the education of youth, or either of the other funds wisely ed to give the election of Governor to the People—and another declaring stablished by the State to any other purposes whatsoever than those inunded by the framers of the law that gave them existence. But your the Governor an Executive Council—And thus it is, that the "all-adsorbing question" as it has been too truly called, is found mixing itself up with the State of North Carolina certain funds, and that, to a considerable so many other questions!—We shall give these proceedings, at large, in our

The Convention has been engaged for the last three days on the Executive and Judicial Reports. On Tuesday, the appointment of the Lieut. Governor, was again agitated. Messrs. Alexander, Randolph, &c. descanted on the current transactions of the Body in an impressive strain.—On

Wednesday, there was a very interesting discussion between Messrs. Marshall and Giles, on the independence of the Judiciary.

Yesterday, a short and eloquent debate took place on the proposition to strip the Judges of their offices, after a certain age: this proposition failed.

—And it was succeeded by a long contest about the mode of appointing County Court Magistrates. Various attempts were made to modify the resolution of the Committee, so as to introduce more of the popular controll into their nomination-but they all failed,

a Constitution for the State? And what will be and the most conciliatory disposition. Citizens at a distance can scarcely be aware of the great difficulties which beset this subject.

A PETTICOAT BANNER. The following stricle alludes to faces which we ame are familiar to most of our readers, and we de not its permal at the present time will give them a keener and pleasanter relish than ever. The herom of the story we have the honor to be well acquainted with, and common justice requires us to say, that such another 'Daughter of '76' cannot be found in 'seven cities' than the such and the common plants of the common plants.

Pearce, on the bill for the relief of Penciope Bon mer abject.

ny, he mentioned the under petticnat of Mrs. Bailey of Stonington, instead of Graton, the scene of her patriotic heroism, (Mr. Barber, her next door neighbor, might have corrected Mr. P.)

The introduction of so singular an article in a the law with respect to the collect debts from the setates of decision. The introduction of so singular an article in a congressional debate, might excite a smile, unless accompanied by an explanation. In 1814, when commodore Decatur's squadron was blockaded by commodore Hardy, Stonington was attacked by the enemy, and gained immortal honor by repulsing them. Attacks were also threatened on New London, and Decatur Idaily, nightly and hourly, either in earnest or by way of harrassing diversion. On one occasion, the hostile ships the law with respect to the collection of debts from the estates of electased persons; when Mr. Seed moved that the report and bill be laid upon the table; was then put on its passage, and rejected by a rate of \$4 to 21.

Mr. Love presented a bill to divide the regiment of Macon county; and three with respect to the collection of debts from the estates of electased persons; when Mr. Seed moved that the report and bill be laid upon the table; was then put on its passage, and rejected by a rate of \$4 to 21.

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Mr. Love presented a bill to divide the regiment of Macon; and the collection of the collec were within half an hour's sail of New London.
The forts and lines were manned there and at Groton, half a mile distant on the opposite side

Mr. M'Farland, from the committee were within half an hour's sail of New London. flannel was sought for and very little found. In this critical emergency, with the enemy almost the rejection of the petition of James within gun-shot, Mrs. Bailey, wife of capt. Eli-Moore, of Daplin. Concurred in. jah Bailey, postmaster, a genuine daughter of '76, who had remained firm at her post, loosened and cond section of he act of 1806, to relakicked off her flannel, bidding them take it in devise the militia laws of this State relationship. jah Bailey, postmaster, a genuine daughter of '76, fence of her country, and if other garments would give to the infantry, was indefinitely be of service, they might have them also. The postponed on its second reading by a petticost, however, was not made into cartridges vote of 50 to 24. by the gallant volunteers, who made a standard of it, declaring they would light under it to the last drop of their blood, rather than strike it to the enemy. President Monroe, on his tour thro' Connecticut, was introduced to Mrs. Basley, and creek, in that county, accompanied by told the story, which was repeated to Lafayette a bill to carry the prayer of the peti-on his visit to that place and seeing the heroine moners into effect; which bill passed the anecdote.

## Legislature of North Carolina.

On motion of Mr. M'Neitl, the committee on o much of the Governor's message as relates to a Penitentiary and Lunatic Assylum were directed to inquire into the propriety of estab-lishing in this State an Asylum for the educa-tion of the deaf and dumb.

Mr. Love presented the petition of Benjamin their third reading, and were ordered. S. Brittain, of Macon county, praying remuteration for the loss of a tract of land by him purifulling of timber in, or obstructing the country of the loss of a tract of land by him purifulling of timber in, or obstructing the country of the loss of a tract of land by him purifulling of timber in, or obstructing the country of the loss of a tract of land by him purifulling of timber in, or obstructing the land of the loss of a tract of land by him purifulling of timber in, or obstructing the land of the lan chased from the State. Referred.

Mr. Mearcs presented a bill to divorce John Sloan from Elizabeth Sloan. Read the first time On motion of Mr. Moore, the bill amenda-

tory of the laws relative to pilotage at Occacock Inlet, was reconsidered, and subsequently, on motion of Mr. Meares, indefinitely postponed.

Mr. Dick presented a bill to provide for the collection of debts in certain cases; which passed its first reading.

The bill to provide for the better organization of the county courts of Rutherford; and the bill concerning the appointment of commissioners for the county of Franklin and town of Louisburg, passed their second and third readings, and

were ordered to be engrossed.

The bill to suthorise Presley C. Person, late sheriff of Franklin, to collect arrearges of taxes, was indefinitely postponed on its second read-

On motion of Mr. Hinton of Wake, the committee on Public Buildings were instructed to

report if any, and what repairs are necessary to the Capitol.

Mr. Davenport presented a bill to authorise Charles Phelps, late sheriff of Washington coun-ty, to collect arrears of taxes; which passed its first reading.

the engrossed resolution directing the Governor to transmit to the Executive of Virginia the actincorporating the Lake Drummond and Orapeake Canal Company, were adopted and or

ed, reported a re

mington, for the purpo they being in the present effeminate age, like angels' rail road from Fayetteville visits, few and far between.'— Hardord Times.

Pemcie Patriotism.—In the speech of Mr. Pearce, on the bill for the relief of Penciope Don mer object. rail road from Fayettevi

its first reading, and was referred.

Mr. Mosely presented the petition of sundry citizens of Lenoir county, praying the passage of a law more effects ally to provide for the apprehension runaway slaves. Referred.

Mr. M'Disrmid presented a resolution in favor of John Black, sheriff

Cumberland. Referred.

Several engrossed bills passed first reading.

The following engrossed bills ; their third reading, and were or run of Rocky river in Chatham; the bill to authorise the county court of Currituck to provide for the creation of public buildings; the bill to competthe trustees of Maore, Chowan and plemetary to an act for improving navigation of Black or South or far as this the dividing line between the south is of Sampson and Cumb and the bill to accent the act of appointing commissioners to

William Thomas to