

REPORT

On the building of a Penitentiary in North Carolina. The Joint Select Committee appointed, and to whom was referred...

Your Committee are aware that among the items composing the above statement, there is a portion thereof not only unavailable at the present time, but a part which probably never can be collected...

STATEMENT OF UNAPPROPRIATED FUNDS. Balance due from the late Public Treasurer on judgment in Wake county court, as per Treasurer's Report, 1828, \$22,166 04

Bonds for sales of lands and negroes, as per report of Treasurer, 1828, balance uncollected, 16,000 10

Your Committee are aware that although the several funds by them set forth in the above statement, are not appropriated, yet that the Treasury Department of this State receives annually a considerable sum from one of these sources, to wit: The dividends on the Bank stock...

But your Committee are fully of the belief, that no appropriation to the subject under consideration could be made by the State, which would operate so completely to secure an ample fund for the object intended...

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 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 spreading before our readers, the results of perhaps the most memorable day of this protracted Convention.

It was interesting on many accounts. The "all-absorbing question" of the Basis of Representation came up again to be decided. The eyes and noses were called seven times during the day. The question assumed a variety of forms. The sense of the Convention was tried on Mr. Leigh's scheme of representation—it was tried on the plan of the Federal Basis in the H. of Delegates, and the White Basis in the Senate—it was tried on 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 prospective re-apportionment in the year 1841, and every 20 years thereafter...

Yesterday, a new scheme for future apportionment, founded on the basis of qualified voters, was presented by Mr. Stuart, laid upon the table and ordered to be printed. After having passed through the remaining resolutions of the Legislative Committee, the Chair passed on to the Executive Report. The 1st amended resolution, which came up from the Committees of the Whole, directs the election of the Governor by the Legislature. Mr. Mercer proposed to elect him by the People—This amendment prevailed by a majority of 4 votes.—A Debate next came on, upon a proposition to constitute a controlling Executive Council of three members.—The motion failed, by a tie of the House—and then the resolution itself for appointing a 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 determined to give the election of Governor to the People—and another declaring that since this last measure had been adopted, he had determined to give the Governor an Executive Council.—And thus it is, that the "all-absorbing question" as it has been too truly called, is found mixing itself up with so many other questions!—We shall give these proceedings, at large, in our next paper.

Friday, December 25.

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. descended 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.

The Basis of Representation was touched upon in the course of these proceedings; but it has not been discussed since our last; yet it has been rarely lost sight of, at any period of the Debate.

We confess we are not so sanguine in our hopes of success from the labors of the Convention, as we have been—but we will not permit ourselves to despair. It is not so agreeable to see some of the struggles—nor can we be insensible to the ill effects, which the "all-absorbing question" sheds around it. Mr. Randolph has characterized them in pretty strong terms.

Will the Convention adjourn without exhausting every means of an amicable arrangement? Will they adjourn without forming a Constitution?—The Citizens of Wheeling had a meeting on the 14th inst., and they have adopted a resolution, calling upon their Delegates to accede, as soon as they have ascertained, that they cannot secure the White Basis in the popular branch of the Legislature.

We respectfully beg the citizens of Wheeling to consider well the consequences of this step. If they break up this Convention, *take* and *hold* will they get together? Will the East go into it? Will the West form one for itself—and propose a Constitution for the State?—And what will be the result of that movement? Every consideration shows us the necessity of a patient spirit 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 article alludes to facts which we presume are familiar to most of our readers, and we doubt not its perusal at the present time will give them a keener and pleasanter relish than ever. The heroine 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"—they being in the present effeminate age, "like angels" visits, few and far between.—*Hartford Times.*

Female Patriotism.—In the speech of Mr. Pearce, on the bill for the relief of Penelope Don. Bailey of Stonington, instead of Groton, 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 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 daily, nightly and hourly, either in earnest or by way of harassing diversion. On one occasion, the hostile ships 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 of the river. In the urgency of the case, two 18 or 24 pounders which were unoccupied, were taken by the citizens not on duty, and mounted on a breast-work, and measures taken to furnish ammunition for them. In the constant state of alarm that existed, the dry goods had been removed from the stores and the clothing from the houses in the village, for fear of a repetition of its fate in 1781, when it was burnt and plundered. Paper being found insufficient for cartridges, flannel was sought for and very little found. In this critical emergency, with the enemy almost within gun-shot, Mrs. Bailey, wife of Capt. Elijah Bailey, postmaster, a genuine daughter of '76, who had remained firm at her post, loosened and kicked off her flannel, bidding them take it in defence of her country, and if other garments would be of service, they might have them also. The petticoat, however, was not made into cartridges by the gallant volunteers, who made a standard of it, declaring they would fight 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. Bailey, and told the story, which was repeated to Lafayette on his visit to that place and seeing the heroine of the anecdote.

Legislature of North-Carolina.

SENATE.

Monday, Dec. 23. On motion of Mr. McNeil, the committee on so much of the Governor's message as relates to a Penitentiary and Lunatic Asylum were directed to inquire into the propriety of establishing in this State an Asylum for the education of the deaf and dumb.

Mr. Love presented the petition of Benjamin S. Brittain, of Macon county, praying remuneration for the loss of a tract of land by him, purchased from the State. Referred.

Mr. Meares presented a bill to divorce John Sloan from Elizabeth Sloan. Read the first time and referred.

On motion of Mr. Moore, the bill amendatory of the laws relative to pilotage at Occochee 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 authorize Presley C. Person, late sheriff of Franklin, to collect arrearages of taxes, was indefinitely postponed on its second reading.

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 authorize Charles Phelps, late sheriff of Washington county, to collect arrears of taxes; which passed its first reading.

The bill to establish a Bank on behalf of, and for the benefit of the State, after receiving a few further amendments, passed its third reading by a vote of 33 to 25, and was ordered to be engrossed.

Thursday, Dec. 24. Mr. Hinton of Wake, from the committee to whom the subject was referred, reported a resolution directing the Comptroller to suspend the settlement of the sheriff of Macon county, until 1830; which was adopted and ordered to be engrossed.

On motion of Mr. Welborn, the committee of Internal Improvement were instructed to inquire into the expediency of appropriating the unexpended balance of the appropriation, made at the last session for improving the navigation of the Cape Fear below Wilmington, for the purpose of making a rail road from Fayetteville to Campbelton—the general government having appropriated 20,000 dollars for the former object.

Mr. Meares, from the Judiciary committee, made a report, recommending the rejection of the bill to amend the act of last session, chapter 8, amending the law with respect to the collection of debts from the estates of deceased persons; when Mr. Sneed moved that the report and bill be laid upon the table; which was not agreed to. The bill was then put on its passage, and rejected by a vote of 34 to 21.

Mr. Love presented a bill to divide the regiment of Macon county; and Mr. Welch, a bill to amend the act of 1828, concerning the county of Macon; which passed their first reading.

Mr. McFarland, from the committee to whom was referred the bill for the education of the poor children of the State, reported the same without amendment; when the report and bill were laid on the table.

The resolution in favor of Presley C. Person, passed its third reading, and was ordered to be engrossed.

Mr. Williams of Martin, from the committee of Propositions and Grievances, made a report recommending the rejection of the petition of James Moore, of Duplin. Concurred in.

The bill to repeal a part of the second section of the act of 1806, to revise the militia laws of this State relative to the infantry, was indefinitely postponed on its second reading by a vote of 30 to 24.

Mr. Hinton of Beaufort presented the petition of sundry citizens of Beaufort county, praying the passage of an act to regulate the fisheries on Blount's creek, in that county, accompanied by a bill to carry the prayer of the petitioners into effect; which bill passed its first reading, and was referred.

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

Mr. McDiarmid presented a resolution in favor of John Black, sheriff of Cumberland. Referred.

Several engrossed bills passed their first reading.

The following engrossed bills passed their third reading, and were ordered to be enrolled: The bill to prevent the falling of timber in, or obstructing the run of Rocky river in Chatham; the bill to authorize the county court of Currituck to provide for the erection of public buildings; the bill to compel the trustees of Moore, Chowan and Robeson counties to pay the jurors in preference to other claims; the bill supplementary to an act for improving the navigation of Black or South river, so far as it is the dividing line between the counties of Sampson and Cumberland; and the bill to amend the act of 1828, appointing commissioners to alter the plan of Ashborough.

The following bills passed their third reading, and were ordered to be engrossed: The bill for the better regulation of the county courts of Wayne; the bill to authorize Andrew Welch and William Thomas to erect gates; the bill to amend the act of 1817, to prevent persons from obstructing the passage of fish up Newbegin creek, in Pasquotank; and the bill to amend the act of last session, establishing separate elections in Prison county.

The bill to authorize Charles Phelps, late sheriff of Washington county, to collect arrears of taxes, was rejected on its second reading by a vote of 27 to 3.

The Senate then adjourned until Saturday morning.

Saturday, Dec. 24.

Mr. McFarland presented the petition of Elijah Thomas and others, of Richmond county, praying to be incorporated into a company for the purpose