

Mr. W. H. Jones, of Wilmington, was opposed to the amendment, because he thought the situation of the men required immediate assistance. He could from a knowledge he had been obliged to obtain, assert that many of them had left neither a bushel of meal at their houses nor a cent to purchase it with; that some of them were destitute of a second suit of clothes, withoutshoes and blankets, and had not a dollar to procure either. He could, therefore, not hesitate a moment in applying the proposed sum to their relief.

Mr. Ramsey, of Chatham, likewise spoke against the amendment. He was the neighbor, friend and even relative of many of those who were to assemble at Hillsborough on the 28th; but he did not on this account feel more willing to appropriate the sum necessary to enable them to reach the scene of their intended operations, than he would in the case of any other body of his fellow citizens. He had two grounds of opposition to the motion; the first of which was the delay which it would produce, and the second that he felt confident the general government would repay the money. It would take at least ten days to receive an answer from Washington City, and all that time the men would be suffering and be delayed in their march. The loss to the state would be consequently greater than the sum now proposed to be given; and in the mean time a serious injury might result from the absence of these men at the point of destination.

Mr. Stanly said this was not the first time he had been charmed without having been convinced by the eloquence of the gentleman from Halifax. Notwithstanding the opposition it had met he felt still assured of the propriety of his motion. The adoption of it could produce no material delay, since an answer might be received in the course of a week. If the funds of the state were to be applied to the purposes of that protection which was especially the province of the general government, it were better said Mr. S. to reserve them for our own defence, than to squander them in behalf of Virginia. Whatever might be the notions of other gentlemen as to the term patriotism, he believed its essence to consist in a vigilant discharge of the duties more immediately entrusted to the Legislature by their constituents. Having done this, it would then be time enough to assist others in this glorious war, as the gentleman from Halifax seemed to think it, but in which we were coked up on the seaboard and driven back with loss from Canada. In the present case he could not believe there was a very great urgency for the presence at Norfolk of the troops in question; otherwise the general government, which had demanded them, would have taken the necessary steps to hasten their march. That they had not done so, was to him a clear evidence that there was not any immediate necessity for their march. Besides he saw from the general order issued on the subject and inserted in the newspapers, that after their arrival at Hillsborough the men were to be supplied by the U. States' contractor, who had been ordered to do so. I know this contractor said Mr. Stanly.—He resides in Newbern, and is getting rich by his office. Are we not, then, sir, taking the unnecessary step of covering his defalcation, in failing to supply these men, if they shall not be seasonably supplied? I appeal to the military knowledge of my friend from Rowan (Gen. Pearson) if I be not correct in saying, that any failure on the part of the contractor to meet his engagements, may be supplied by the commanding officer & purchases at the risk and loss of the delinquent? There is, then, no necessity for nor propriety in taking this money from the treasury, before we know whether it can be got back again. Mr. S. concluded by saying he was glad the yeas and nays had been called, as he should take pride in recording his single vote, if he stood alone, in favor of a principle which he believed to be correct.

Mr. Pearson opposed the amendment offered by Mr. Stanly on the very score of economy; because he said, a detention of the troops, at Hillsborough, for a single unnecessary day, would cost the state more than the sum proposed to be saved. There was a mistake he thought on the subject of the supplies. It was not rations, as he learned, that were needed. These would be furnished; but tents, camp-kettles and pans. Of what use he asked would the provisions be, without the means of cooking them? The men were on their way; they were daily arriving, and it was now too late to hesitate. If these men were yet to be called out, it would be another matter. In saying this he did not mean to excuse or defend the neglect of the general government, in not having every requisite provided. Their conduct was inexcusable—indefensible. He wished to God it was the only time of a hundred that it was so—but this could not alter the state of the case. One way or another the state must lose; and giving the fifteen hundred dollars at once, would be economy in the end. It would save a greater expenditure. This was not voting the money of the state for conquest but defence; and he trusted that wherever the revenue was required for this purpose, it would flow as freely as water. For himself, in the cause of defence, he would give every cent he was worth, as cheerfully as he then raised his hand. He would not hesitate to put his hand in his private purse if there were no other means of relieving the wants of his fellow men when called into service; and he could not scruple to vote the

sum required without waiting an answer whether or not it would be repaid. Of its repayment, however, he had little doubt.

Mr. Boylan of Wake, thought that a course might be adopted which would meet the wishes of those who appeared to differ on the present question. Let the resolution be so framed as to authorize the governor to assure the commissary, that in the event of the general government refusing to pay the amount of purchases, the state of North Carolina will—Then the commissary can go on to purchase, the money need not be advanced from the treasury, and the proper department of the general government will doubtless discharge the debt. He should therefore, he said, vote against the amendment, with the view of proposing to the original resolution such a substitute as he had suggested. But if he could not obtain this he must certainly vote for it as it stood.

Mr. Stanly said he was not satisfied with the proposed substitute. What does it amount to? That the state of North Carolina becomes security to the commissary on behalf of the United States—that if they don't pay, we shall. Supposing then, the U. S. refuse, how are we better off than if we advanced the cash? On the other hand should the commissary refuse to credit either, the troops go without the requisite supplies.—This it was the business of the U. States to have seen to—and he would not consent to oppress his own constituents to serve Virginia. The whole difference between me and the gentlemen, said Mr. S. is, I wish to shut the door before the steed is stolen—they to let him go and bar the door afterwards. I desire, before we give away our money, to know how and when it is to come back again—they are willing to give it first, and then get it back as they can.

The yeas and nays having been called for, Mr. Stanly's amendment was negatived, 27 yeas in favor of, and 96 against it.

The yeas were Messrs. Adams, Barringer, Sullock, Carrawar, Diekins, Gibson, Gregory, Gayther, Grant, Hill, Henderson, King, Moore, McNairy, McCulloch, M. McLean, McDaniel, Phifer, Pope, Parry, Randle, J. Spith, Stewart, J. B. Skinner, Stanly, Tyson, J. O. K. Williams.

Mr. Boylan moved to amend the resolution by striking out the whole except the word resolved, and inserting, "That the executive of this state, be requested to assure the commissary of supplies to the troops about to rendezvous at Hillsborough, on their march to Norfolk, that in the event of the general government refusing to pay for the expenses of supplies and transportation of said troops to Norfolk, that the treasurer of this state shall pay the same, provided the whole amount shall not exceed fifteen hundred dollars." This amendment was likewise decided in the negative, and the original resolution passed and returned to the senate.

The several subjects contained in the governor's message were referred to select committees of both houses.

MONDAY, NOV. 28.  
Mr. Spencer presented a bill to establish an academy at Mattamuskeet, in Hyde county, which was read the first time and sent to the senate.

A bill was received from the senate for the relief of the treasurer of Martin county, which was read the first time and returned. [The bill is intended to allow the said treasurer, in his settlement, the sum of seven hundred dollars advanced for the troops lately marched to Norfolk.]

Mr. Callaway offered the following resolution which was agreed to. Resolved, that so much of the militia laws, as exempt quakers, mennonists, moravians, and dunkards from military duty be repealed, and that all the above exemptions between the age of 18 and 45 years, be compelled to do military duty and stand their draft as other men, or pay a tax equivalent. And that this resolution be referred to the committee on the militia laws and that they report by bill or otherwise.

Thomas Cowan was elected colonel and David Hooks 2nd major of cavalry of the 3d brigade.

Mr. Farmer presented a bill concerning divorce and alimony, which was read the first time and sent to the senate. [The bill vests the power of granting divorces, &c. in the superior courts.]

The bill further to promote the administration of justice in the supreme court was read the first time amended and returned to the senate. [It prevents the judge deciding a question of law on his circuit from giving an opinion on the same question in the supreme court.] There was some debate on this bill which we had not the pleasure of hearing.

The bill repealing the privilege heretofore granted to Peter Haxton, of erecting gates on certain public roads, was received from the senate and referred to the committee of propositions and grievances.

Mr. Nash presented a bill providing a remedy for persons having claims upon the county treasurers or trustees, which was read the first time and sent to the senate. Adjourned.

TUESDAY, NOV. 29.  
Mr. Nash presented a bill to amend an act passed in the year 1741, entitled "an act for the better observance and keeping the Lord's day commonly called Sunday, and for the more effectual suppression of vice and immorality." Read and sent to the senate.

Mr. Wm. W. Jones presented a bill to repeal an act passed in 1818, entitled an act to exempt vessels under sixty tons burthen entering Cape Fear river from paying pilotage. Read and referred to a select committee.

Mr. Moore presented a bill to enable the Cape Fear Agricultural Society to raise a sum of money by way of lottery. Read and sent to the senate.

A bill from the senate to divorce Benj. and

A. Collins of Stokes, was read the first time and returned.

Mr. Stanly presented a bill to continue in force certain acts concerning the Banks of Cape Fear and Newbern and for other purposes. Read and sent to the senate, and ordered to be printed.

Mr. Barringer presented a bill allowing farther time for registering grants, proving and registering deeds, mesne conveyances, powers of attorney, bills of sale, and deeds of gift. Read the first time and sent to the senate.

The bill for the relief of the Treasurer of Martin, was received from the senate, read the second time and returned.

The bill repealing the law making compensation to the owners of outlawed slaves, &c. so far as the same relates to the county of Beaufort, was read the third and last time and sent to the senate.

Received from the senate a bill "directing the manner in which the state shall in future give the votes to which she is entitled in the election of directors of the State Bank of N. Carolina," which was read the first time and returned.

Mr. Seth Jones presented a bill to repeal an act passed in the year 1803, entitled "an act granting separate elections to the inhabitants of Wake and Halifax counties," so far as the same relates to the county of Wake; and for other purposes,—which was read the first time and sent to the senate.

The bill to enable the Cape Fear Agricultural Society to raise a sum of money by way of lottery, was read the second time and returned to the senate.

Mr. Douglass presented a bill for the renewal of a separate election in the county of Rockingham. Read the first time, and sent to the senate.

On motion of Mr. Phifer, Resolved that the committee of finance be instructed to enquire into the expediency of so amending the revenue laws of this state that in future lands shall be taxed according to their value, and that they report by bill or otherwise.

Mr. Douglass presented a petition for the removal of a separate election in the county of Rockingham, which was read and referred to the committee of propositions and grievances. Adjourned.

WEDNESDAY, NOV. 30.  
Mr. Pickett presented a bill to amend the revenue laws of this state, and to provide for the payment of the civil list and contingent charges of government. Read the first time and sent to the senate.

On motion of Mr. Boylan, Resolved, that a committee be appointed to examine into the facts of a double ticket being given by a member of this house, on yesterday, in voting for a chief magistrate of the state; that they report the result of such enquiry, & that they have power to compel the attendances of persons to give testimony. Messrs. Craig, Stanly, King and Johnson, form the committee.

Mr. W. W. Jones presented a bill to incorporate the Wilmington Thalian Association. Read the first time, and sent to the senate.

John Haywood was re-elected public treasurer, William Hill Secretary, and Samdel Goodwin comptroller, without opposition.

Mr. Nash presented a bill to amend the act of 1802 against duelling. Read the first time and referred to a select committee.

Duncan Cameron, esq. was almost unanimously elected judge of the Superior and Supreme courts of this state.

Mr. Boylan presented a bill to incorporate the Raleigh Thespian Society, which was read and sent to the senate.

The bill for the relief of the Treasurer of Martin was read the third and last time and ordered to be engrossed.

The bill extending the time for registering deeds, &c. was read a second time and returned to the senate.

The house took up the resolution laid on the table, proposing to raise a select committee of divorce and alimony, which was negatived by a large majority.

Mr. Stanly spoke in a very forcible manner against the adoption of the resolution, and in favor of granting divorces only under the decisions of the Superior Courts of law and upon the verdict of an impartial jury of the vicinage. He deplored the practice hitherto pursued by the legislature, which he considered as most partial, unjust and mischievous.—The sacred bonds of matrimony were broken upon the bare representation of one party, without hearing a defence from the other, and upon the testimony of unknown individuals given without any of the solemnities of an oath. Mr. S. thought the practice struck a blow at the very root of social happiness.—He contended that as the facilities of separation were increased, conjugal discontents would multiply and spread. Hence he maintained that divorces ought rarely or never to be granted; since it was better that a few should groan under the yoke they had taken upon themselves, than society be polluted by the vice and immorality consequent upon the easy separation of man and wife. If the marriage contract were known to be an indissoluble tie, for better or worse, the frivolous girl and the dancing coxcomb would not always be the object of choice. Mr. Stanly also referred to the laws of the most enlightened nations of Europe, and to those of neighboring states, to show the general sense entertained on this important subject. In England divorces he believed were never granted without the intervention of Parliament, after the clearest conviction of adultery in a court of justice. It was even with extreme difficulty that such a separation was obtained, as placed the wife beyond the control of the husband, and freed the husband from responsibility on the wife's account—without permitting subsequent intermarriage. In Virginia the Legislature neither wholly trusted the subject with

themselves nor wholly with the courts; but only granted divorces when brought up before them, after the facts were investigated, by the courts of law or chancery. Other favorable remarks were offered by Mr. Stanly against the appointment of a committee to which he was entirely opposed; and the resolution was rejected without a division.

Mr. Johnson, from the committee appointed to conduct the balloting for governor, having reported that Wm. Miller, esq. of Warren, was duly elected, that gentleman handed in his resignation as a member of this body; and after having very handsomely thanked the house for the past and present favors conferred on him, vacated the chair.

A new writ of election was ordered to issue to supply the vacancy from the county of Warren; and

On motion of Mr. Dickens, Frederick Nash, esq. of Orange, was unanimously called to the chair, and having been conducted to his seat, expressed to the house his sense of the honor conferred upon him; and the house adjourned. THURSDAY, DEC. 1.

Mr. Porter, of Rutherford, submitted a resolution for the appointment of a committee to enquire into the expediency of issuing on the part of the State, treasury notes to the amount of half a million of dollars, for the purposes of prosecuting the war, redeeming the debt due to the State Bank, and subscribing for stock in case the charters of the Banks of Newbern and Cape-Fear should be extended and their capitals increased.

Mr. Porter's project appeared to be to have these notes circulated in other states, obtain specie or bank notes for them, and then pay the money thus collected into the vaults of our own banks. He adduced the experience of the revolution to prove the superiority of treasury notes to paper money; the treasury notes of S. Carolina having only fallen 4 pence in the dollar the notes of New-York 12 per cent, while the currency of North-Carolina depreciated 50 per cent.

Some debate took place in committee of the whole on a bill amending the laws relative to bastardy. Mess. Nash and Stanly were the chief speakers.

SENATE, NOV. 26.  
Mr. Murphy from the committee of privileges and elections, moved that the committee be discharged from the consideration of the memorial of Jonathan Hampton, praying to vacate the seat of Wm. Greene, of Rutherford, upon the ground that admitting the facts therein stated to be true, they do not constitutionally disqualify the returned member, from holding his seat. Motion agreed to.

MONDAY, NOV. 28.  
Mr. Johnson of Washington moved to reconsider the vote as to discharging the committee in the case above mentioned; but the Senate refused to reconsider.

SENATE, DEC. 10.  
On motion of Mr. Murphy, the following resolutions were unanimously adopted:

HONORARY RESOLUTIONS.  
Whereas, The achievements of the navy of the United States during the present war, have thrown around the national flag a blaze of glory that has given new lustre to the American character:

Resolved, By the senate and house of Com. of the General Assembly of North Carolina, that they have viewed with pride and with gratitude the gallant conduct of the several naval commanders who have given triumph to the flag of the United States, and advanced its renown as well by deeds of valour as by the display of those virtues which adorn a nation's character.

Resolved, that this legislature feels with ardent and peculiar emotion the honour reflected upon North Carolina, by the skill, courage and good conduct of one of her sons, captain Johnson Blakely of the United States sloop of war Wasp, in the destruction of two of the enemy's vessels of equal force, the Reindeer and the Arvon.

Resolved, Therefore, that as a duty no less than a pleasure, the legislature of his native state, unanimously agree to present to captain Blakely, on his return to the United States, a superb sword appropriately adorned, in the name and on the behalf of his fellow citizens.

And resolved further, that his excellency the governor, be requested and authorised to draw upon the treasury for all expenses incurred by virtue of these resolutions, and to enter into effect the object of the same, by procuring a sword of the foregoing description, and having it presented to him who has so well merited it.

COMMITTEES ON THE GOVERNOR'S MESSAGE.

On the defence of the sea-board, &c. Messrs. W. C. Stanly, Sanderson, Wynn, from the Senate, Messrs. Roberts, Moore, Craig, Pearson, Felton, Martin, from the house.

On the application to the general government for reimbursement of monies, &c. Messrs. J. W. Clark, Blad, from the senate, Messrs. Drew, Johnson, Davis, Nash, from the house.

On the boundary line with S. Carolina, &c. Messrs. McLean, senate, and Love, Henderson, from the house.

Amendment to the Constitution of the U. S. From senate, Messrs. Branch and Murphy, House, Messrs. Pickett, Henderson, Nash, Child.

Memorial of John Stevens.—Senate, Mr. McBryde, House, Messrs. Stanly and Jenkins.

Relative to Manufactures.—Senate, Messrs. R. Williams, W. S. Hinton, House, Messrs. Davis, Harrison, Farmer, J. B. Skinner, Hardy, Barringer.

GRAND LODGE OF N. CAROLINA.—Officers, members and delegates will please to observe that a meeting is to take place THIS EVENING, at the usual hour. Visitors, who are M. M. are respectfully invited. A. LUCAS, S. S.