

Report of the Secretary of War.—This document represents the condition of the army to be satisfactory in many respects, but still capable of improvement. Desertions are growing more and more numerous every year. In 1826 they amounted to 636; in 1829 to 1251, and it is estimated that for the year 1830 they will amount to 1450. As a remedy for this evil the report suggests the plan of retaining a part of the bounty and pay of the soldier, to form a fund when he is discharged, to reduce the period of service, and to increase the pay of the rank and file of the army, particularly of the non-commissioned officers. The report decidedly disapproves of issuing ardent spirits in the rations, making, however, a liberal compensation to the soldier. No provision is made for the moral culture of the American soldier, and at the military posts on the verge of civilization or beyond it, they become demoralized. The report considers the plan of appointing chaplains at our military posts as worthy of trial. The report speaks well of the present condition of the institution at West Point, of the benefits it renders, and is likely to render to the service, and the good conduct of those who were educated at the institution. The United States road from Cumberland to the Ohio river is in bad repair, and likely to be ruined altogether unless repaired, and surrendered to the States thro' whose territory it passes. The U. States have no armories for the fabrication of cannon.—The Report advises the establishment of one. It also recommends an increase of the pay of army surgeons and assistants—a reorganization of the corps of engineers—further measures for taking a survey of our Atlantic and interior coasts—more liberal regulations on the subject of brevet commission, and a better organization of the militia.

The subject of our relations with the Indian tribes is discussed at considerable length and with great ability. The policy of transplanting them with their own consent to a region beyond the Mississippi is urged, with arguments and statements which, coming from one so intimately acquainted with the condition and wants of the aboriginal tribes as Mr. Cass, cannot fail to confirm the general opinion of the expediency and humanity of the measure.—*N. Y. Evening Post.*

GREECE.

Assassination of Count Capo D'Istria.

The following extract of a letter from Napoli dated Oct. 9th, gives the particulars of the death of Count Capo D'Istria, the tyrannical President of Greece.

"This morning as the President was going according to custom, to attend the service at the church, two men who were at the door assassinated him, one firing a pistol at his head, the other stabbing him in the body with a Turkish dagger. He fell dead upon the spot. The assassins were Constantine and George Mavromichalis, the brother and son of Petro Bey, who has been in prison ever since the month of January last. Constantine was immediately killed by the President's Guard, but George escaped and took refuge in the house of the French Consul, who received him without being aware of the crime he had committed. On learning what had occurred, the Consul refused to give him up to the fury of the populace, but engaged to deliver him into the hands of the Magistracy, as soon as a regular demand was made. The Senate immediately assembled, by virtue of the powers with which it is invested by the Congress at Argos, and is at this moment employed in appointing a committee, to carry on the government till the meeting of the General Assembly, which will be immediately convoked. The town remains quiet, and the commanders of the troops have taken all necessary measures for preventing disorder.

Fatal accident from Stage racing.—The Augusta and Savannah Mail Stages, crossed the Charleston Bridge Ferry together, yesterday forenoon—the former a large four horse post coach, with eight passengers, the latter a two-horse stage, having no passengers. There was some conversation between the drivers, whilst crossing, as to who should first reach a certain point on the road. The Savannah stage started off first, from the ferry-boat, and was soon followed by the Augusta stage, the driver of the latter pushing his horses to overtake the former. About half a mile from the Ferry he came up nearly abreast of the Savannah stage, and at the moment when one of the passengers was remonstrating with him, against such furious driving, the post-coach either struck against the stage, or against some obstruction in the road, and was instantly overturned. The horses, most providentially, did not attempt to run with the stage in that situation, or it would probably have proved fatal to some of the passengers. When our informant, who was the first to extricate himself from the coach, got upon his feet, he saw the driver lying upon his back, apparently lifeless, and one of the passengers, a young lady of this city, under the body of the coach. The first effort was to relieve her from this perilous situation, the next to secure the horses, to prevent further mischief. All the passengers were then extricated without other injury, than what had been received from the fall. The young lady was very much bruised, and one gentleman had his head severely cut. Mr. HUBBARD, the ill-fated driver, expired in a

few minutes, having never spoken after.—He is supposed to have been struck upon the breast, by the coach, in its fall. If his imprudence was great, in thus putting at hazard his own, and the lives of his passengers, most grievously has he answered for it. The passengers, with one exception, returned to town.—*Charleston Courier.*

North-Carolina Legislature.

SENATE.

Thursday, Dec. 22.—The engrossed bill to repeal an Act, passed in 1830, to amend an act to alter the time of holding two of the Courts of Pleas and Quarter Sessions of Lincoln county, was read the second time, amended and passed, and ordered to be enrolled.

Some time was spent in the consideration of the Bank Bill during which considerable discussion ensued, but no question was taken.

Friday, Dec. 23.—Mr. Massey presented a bill to incorporate the Charlotte Fire Engine Company; which was read the first time, and after undergoing several amendments, was read the second and third times, passed, and ordered to be engrossed.

Mr. Brownrigg, from the Committee on Military Affairs, to whom a Resolution on the subject was referred, reported a bill to prevent Slaves from attending General Reviews, Regimental, Battalion and Company Musters, Camp Meetings and Election grounds. Read the first time.

The Bank Bill was again taken up and discussed, and after various amendments had been proposed and agreed to, it passed its second reading 33 to 27.

Saturday, Dec. 24.—Bill presented.—By Mr. Hawkins, to incorporate the Catawba Gold Mine Company. Read the first time.

Mr. Seawell, from the joint select committee on that part of the Governor's Message relating to Slaves, &c. reported a bill which had its first reading—for the better regulation of the conduct of free negroes and slaves.

The Bank Bill passed its third reading 32 to 29, and was ordered to be engrossed.

Tuesday, Dec. 27.—Mr. Guinn, from the select Committee on the subject, reported against the expediency of making any change in the arrangement of the Courts in the 6th Judicial Circuit. Concurred in.

Wednesday, Dec. 28.—The most important matters transacted in the Senate, were the presentation, by Mr. Dick, of sundry Resolutions in relation to the calling of a Convention, a duplicate of which will be found in the proceedings of the House of Commons of this day.

Mr. Dishong also presented sundry Resolutions in relation to the Tariff, denouncing it as unconstitutional and oppressive, and proposing to instruct our Senators and request our Representatives to use their best efforts to obtain a modification of it.

HOUSE OF COMMONS.

Thursday, Dec. 22.—Mr. Polk, from the committee of Proposition and Grievances, reported unfavorably on the petition of sundry citizens of Mecklenburg and Anson, for the erection of a new County out of part of those counties. Concurred in.

Friday, Dec. 23.—Bills presented.—By Mr. Leak, to amend the act of 1830, to prevent obstructions to the passage of fish up the Peece and main Yadkin Rivers. By Mr. Mebane, to establish a Bank, by the name and style of the President and Directors of the Bank of Albemarle. [Provisions similar to the proposed Farmers' and Merchants' Banks.] By Mr. Bonner, to extend the jurisdiction of Justices of the Peace. [Gives them jurisdiction of all cases under \$200.] By Mr. Barringer, to incorporate the Cabarrus Gold Mining Company.

These bills were read the first time.

Saturday, Dec. 24.—Bill presented.—By Mr. Faddis, to encourage the publication of a History of North-Carolina. [Provides that Judge Murphey, who is engaged in compiling a History of the State, may raise by way of lottery for the purpose of enabling him to complete the same, the sum of \$50,000.]

The bill to amend an act vesting the election of Sheriffs in the people, was, on motion of Mr. Wycle, indefinitely postponed.

Monday, Dec. 26.—Petition presented.—By Mr. Melane, of sundry citizens of Orange, in relation to the establishment of a Central Rail-Road. Read, laid on the table and ordered to be printed.

Bill presented.—By Mr. Doherty, to incorporate the Charlotte Gold Mining Company.

The Bills—to incorporate the North-Carolina Central Rail-Road Company and to incorporate the Cape-Fear and Yadkin Rail-Road Company, were each read the second time and passed.

Tuesday, Dec. 27.—Mr. Jarvis submitted a Resolution for the adjournment of the two Houses sine die, on Monday the 9th of January. Laid on the table.

The engrossed Bill to establish a Bank on the funds of the State, was read the first time. Mr. Boddie moved that said Bill be indefinitely postponed. On this motion considerable debate arose, but it was ultimately carried, Yeas 64—Nays 58.

Wednesday, Dec. 28.—Mr. Whitaker, of Macon, presented the following Preamble and Resolutions which were read, ordered to be printed, and made the order of the day for Tuesday next:

WHEREAS, many of the good people of North-Carolina entertain the opinion that the Constitution

of the State is defective in some of its fundamental provisions, and requires amendment; more especially in the present mode of Representation, which instead of being on the just and equitable basis of taxation and population, is according to counties, unequal in size and greatly disproportionate in wealth and numbers:

AND WHEREAS, local jealousies and divisions, growing out of this state of things, have for many years existed among the people, distracting the councils of the State, and obstructing liberal and wholesome legislation—a condition of things which the character and prosperity of the State loudly require should be removed from among us, that we may become one people, possessing common rights, and influenced by a common principle:

AND WHEREAS, many of the good people of this State entertain the opinion, that the Seat of Government should be removed to some place uniting more advantages than the city of Raleigh: Therefore, for the purpose of removing these defects, on principles of compromise and national concession, and with a view of restoring good feeling among our citizens, and harmony in the councils of the General Assembly:

Be it Resolved, By the General Assembly of the State, and it is hereby resolved by the authority of the same, that it is expedient to call a Convention of the freemen of North-Carolina, for the purpose of considering the propriety of amending the Constitution of the State, and also of removing the Seat of Government.

Resolved further, That it shall be the duty of the Sheriffs of the several counties in this State, on the day of next, after twenty days notice, to open polls at the places where elections are usually held in their respective counties, under the same rules and regulations, as elections for members of the General Assembly are now held; and all free white men over the age of 21 years, having been citizens of the State twelve months immediately preceding the day of election, are requested to attend said polls, and vote for Delegates to a Convention.

And be it further Resolved, That the Delegates so chosen, shall be distributed among the several counties as follows, the same being on the basis of federal numbers, that is to say:—the counties of Ashe, Bladen, Brunswick, Columbus, Currituck, Currituck, Chowan, Camden, Gates, Greene, Hertford, Hyde, Haywood, Jones, Lenoir, Macon, Martin, Nash, Onslow, Pasquotank, Perquimans, Robeson, Tyrrell and Washington, each one Delegate—the counties of Anson, Bertie, Beaufort, Cabarrus, Chatham, Cumberland, Caswell, Craven, Duplin, Davidson, Edgecomb, Franklin, Halifax, Johnston, Moore, Montgomery, Northampton, New Hanover, Person, Pitt, Randolph, Rockingham, Richmond, Sampson, Surry, Wilkes, Warren and Wayne, each two Delegates—the counties of Burke, Buncombe, Guilford, Granville, Iredell, Mecklenburg, Rutherford, Stokes and Wake, each, three Delegates—the counties of Lincoln, Orange and Rowan, each, four Delegates.

Be it further Resolved, That the Delegates so chosen, shall meet in Convention, on the day of next, and when duly organized, shall proceed to consider the propriety of adopting the following articles as a part of the Constitution of the State: And said Convention shall be restricted and limited to the propriety of adopting or rejecting these articles, or any, or either of them, and no other.

ARTICLE I. The Senate shall be composed of Members, biennially chosen, one from each county in the State. Senators and Electors shall both possess the same qualifications as are now required of each respectively, by the Constitution.

ART. II. The House of Commons shall be composed of Members, biennially chosen by the free white men of the State, in the same manner as heretofore prescribed; and the members and their Electors shall possess respectively, the same qualifications as are now required by the Constitution.

ART. III. Representation in the House of Commons shall be equal and uniform, and shall be regulated and ascertained by the General Assembly, once in every ten years, on the basis of federal numbers, that is, three-fifths of the black population added to the whole of the white population. The ratio on which the Representatives shall be distributed among the several counties, at the period of every ten years, shall be so fixed by law, as not to give fewer than ninety, nor more than one hundred members to the House of Commons, over and above the Representatives of the town, if the Borough System should be retained. When a county may not contain a sufficient amount of federal numbers to entitle it to a member, and when the fractions of the adjacent counties added thereto, are still less than the ratio, then two or more counties may be joined together for the purpose of sending one member or more, according to what they may be entitled to send by the settled ratio. When there are two or more counties, adjacent to each other, having fractions over and above the ratio fixed on, if such fractions when added together, will amount to the ratio, then one member shall be added to the county having the largest fraction. The first arrangement on the principle of the amendment, shall be made by the General Assembly, in the year 1841, and until then, the House of Commons shall be composed of members from the several counties as follows, to wit: [The resolution is at present in blank as to the arrangement.]

ART. IV. The General Assembly shall meet once, in every two years, but should the public interest require it, the Governor, in the interim, may call an extra session.

ART. V. The Governor, Public Treasurer and Secretary of State shall be biennially chosen by joint ballot of the two Houses. No person shall be eligible to the office of Governor longer than four years, in eight successive years.

ART. VI. Whenever any town in this State, not now entitled to representation, shall possess a population of — souls, such town shall become entitled to send one member to the House of Commons; and when any town, now represented or hereafter to be represented, shall cease to possess a population of — souls, then such Town shall forfeit the right of representation.

ART. VII. No higher taxes shall be imposed on the Slave, than on the White poll, and slaves shall not be taxed at an earlier age than 12 years, nor at a later age than fifty years.

ART. VIII. The Convention shall determine on the expediency of removing the Seat of Government, and if they determine on removing it, then they shall fix the place of removal, which shall become the permanent Seat of Government until removed by the people in Convention assembled.

From the Raleigh Register.

GENERAL ASSEMBLY.—It is with feelings "more of sorrow than of anger," that we announce the rejection, on its second reading, in the House of Commons, of the Bill making provision for rebuilding the Capitol on Union Square, in this city, by a vote of 68 to 65. Nearly the whole of the three days was consumed in the consideration of the measure, giving rise to a debate more able and animated than has occurred in our Legislature for several years. We confess, that so strong were our convictions of the force of the claim which Raleigh had upon

the justice and generosity of the Representatives of the People, that we had persuaded ourselves into the belief, that the appropriation would certainly be granted; and the determination to withhold it, at this time, would have greatly astonished us, had we not long ago learned, thoroughly, the maxim of the Roman poet, *nil admirari*—to wonder at nothing. By referring to the Yeas and Nays on the question, which will be found under the proper head, it will be seen that the passage of the Bill was opposed by the western, southern and south-eastern members, in a body. It is not believed that a single vote was changed by the long and ardent discussion which took place on the occasion. It is well known, that the western members, from a belief that they have not their due share of power in the Legislature, have been for several years desirous of calling a Convention to alter the Constitution, so as to place the ratio of representation on population, instead of Counties (large or small) as at present. It has been supposed that some of these counties would prefer Fayetteville to Raleigh as the Seat of Government; but it is believed, that a majority of them would be satisfied with the present location. The South-eastern members, on the contrary, are opposed to any alteration in the present representation, but are very desirous of having the Capitol at Fayetteville, and were therefore decidedly opposed to the proposed appropriation for rebuilding. It is believed, that if a Convention were immediately called, and the abstract proposition of removing the Seat of Government submitted to it, but few, comparatively, would be in favor of the measure. The debate on this interesting subject will be given hereafter. Nearly the same ground was taken in both Houses; except that it seemed to be admitted, in the House of Commons, that the Legislature is bound, by the provisions of the Constitution, to rebuild the Capitol; but the opponents of the bill contended, that it was not necessary to enter upon the work at present, owing (as they say) to the low state of the Public Treasury. It appears also to be the general sentiment of the Legislature, that in case at any time hereafter, it should be the opinion of a Convention that the public interest would be subserved by a removal of the Seat of Government, that the citizens of Raleigh would be entitled to indemnification for the loss which they would sustain by such an event.

The Bill introduced by Mr. MARTIN, for the establishment of a Bank on the funds of the State, which has been before the Legislature every session for a number of years, and which had just passed the Senate, was rejected in the House of Commons, on Tuesday last, on its first reading. The Yeas and Nays on the question of its postponement, will be found in the proceedings of that day. There are, however, yet three bills before the Legislature for the incorporation of Banks, the fate of which is very uncertain—one to be located at Newbern, one at Salisbury, and one at Edenton.

The Bill to prevent the circulation of seditions publications, by the imposition of a prohibitory tax on Pedlars, was rejected on its third reading, in the Senate by a vote of 37 to 22.

The Bill for the construction of a Central Rail-Road, as well as that for a Rail-Road from Fayetteville to some point on the Yadkin, have passed their second reading. We entertain but little doubt that they will receive the sanction of both branches, in which event, the citizens of the State will have an opportunity of evincing their regard for its best interests, by liberal subscriptions for Stock.

We have only space to call the attention of our readers to the very important Resolutions submitted to the Legislature, on the subject of calling a Convention, with restricted powers, to amend the Constitution of the State. We have, at some inconvenience, inserted the Preamble and Resolutions in detail, that the full extent of the change proposed, may be known. They are made the order of the day for Tuesday next.

Thomas G. Polk, David L. Swain, William D. Moseley and Joseph A. Hill have been elected Trustees of the University of the State to fill vacancies in that Board.—One vacancy yet remains to be filled.

From the Carolina Observer.

The Legislature.—We have just returned from a short visit to Raleigh, where we had the pleasure of listening to one of the most able and interesting debates which it has ever been our good fortune to hear. We entered the lobby of the House of Commons on Wednesday, just after the conclusion of the opening speech of Mr. Haywood, of Raleigh, in favor of the bill for rebuilding the Capitol at Raleigh. He spoke for about two hours. [He very unnecessarily, as we think, lugged us and our paper into this speech, and those which he afterwards delivered. We shall probably have something to say upon the subject when the debate shall have been published.] He was followed by Mr. Weaver, of Guilford, in opposition to the bill, who was listened to with evident impatience by the House. After he concluded, the House adjourned.

Soon after the meeting of the House on Thursday, the subject was again taken up, and Mr. Leak, of Richmond, opened the debate in opposition to the bill. He was followed by Mr. Bragg, of Warren, in favor, Mr. McQueen, of Chatham, in opposition, and Mr. Long, of Halifax, in favor of

the bill. When Mr. Long closed, no one seemed inclined to speak; the Clerk was about to call the yeas and nays, when Mr. Haywood again arose, evidently laboring under strong agitation, and for about ten minutes poured forth one of the most touching appeals that we have ever heard, to the sympathy of the House in favor of the citizens of Raleigh, whose pecuniary interests were so deeply involved in the fate of the bill. If he had sat down at the close of that appeal, the effect could not have failed to be felt; but he injudiciously entered into a new argument of the question, and before he sat down, had well nigh effaced the impression of his exordium. Mr. Gaston then rose.—No one who has not had the pleasure of hearing Mr. Gaston speak, can form an idea of the anxiety which is always manifested when he rises to discuss any question sufficiently important to call out the strength of his great mind. We stood, (for setting was out of the question) at an unfavorable point to hear much of this speech, which was uttered in rather a low tone. At its close, a new sensation was created in the House, by Mr. Henry, of this town, taking the floor. He merely rose, however, to ask the indulgence of the House, as it was near night, to adjourn until the morning, and afford him an opportunity of replying. His request was acceded to.

On Friday morning, when the bill again came up, Mr. Henry rose, and addressed the House in an eloquent speech of three hours in length, abounding in argument, wit and sarcasm, defending the citizens of this town and of the Cape-Fear section from the reproaches so liberally cast upon them by some of his predecessors, and effectually "carrying the war into the enemy's country." Mr. O'Brien, of Granville, followed in favor of the bill, in a speech of an hour and a half, with which it is difficult to determine whether the House was more amused or fatigued. Mr. Haywood followed for a few minutes. After whom Mr. Gaston again rose, and closed the debate in a speech of nearly an hour. This speech was delivered with such animation as to be heard in every part of the Hall; and is generally considered as one of Mr. Gaston's happiest efforts. It will, with the rest of the debate, be published, having been taken down by stenographers; and the public will soon be gratified with its perusal. But those who were not present cannot appreciate the effect of some parts of the debate upon a deeply interested community and an excited House. Repeatedly, especially during the speeches of Mr. Gaston and Mr. Henry, many of the members and all of the large crowd of spectators, consisting of ladies and gentlemen, would manifest their intense interest by rising from their seats, standing upon the floor and the benches. When Mr. Gaston concluded his speech, at near sun down on Friday, though several other gentlemen were known to have prepared themselves for engaging in the debate, none rose, the question was taken by yeas and nays, and the bill lost, 65 voting in the affirmative, and 68 in the negative. Every member was in his seat, except Mr. Green, of Rutherford, who has not yet been able to leave home. He would have voted against the bill. It was considered very uncertain how the Speaker would have voted, if he had had an opportunity. We could not procure a list of the Yeas and Nays, but the reader will not need it, when informed that every western member, except those from Person, voted against the bill, with the members from Brunswick, Bladen, Cumberland, Columbus, New-Hanover, Robeson, Sampson, Fayetteville and Wilmington, and one from each of the counties of Onslow and Duplin. All the rest voted for it.

Thus has this question been put to rest for this session, the bill having been rejected in both Houses. Though we cannot be supposed to be indifferent to the probable effects of this decision, we have no disposition to indulge in exultation; our joy has been chastened by witnessing the deep feeling of loss, almost amounting to an apprehension of ruin, exhibited, and with some few exceptions, so delicately exhibited, by the people of Raleigh. Nothing but our firm conviction that the lasting interests of the State will be promoted by a Convention for the double purpose of reform in our Representative system and of change of the seat of Government, could have inspired one emotion of pleasure in our bosom.

Extract of a letter from a gentleman at Raleigh, to a friend in Newbern:—"The excitement here on the subject of a Central Rail-Road, is prodigiously strong, and if we do as well about Newbern as they will at Raleigh, the thing can be done; but we must not expect any aid from the Legislature in the beginning. The company will be incorporated, shares at \$100—two per cent. to be paid down, and the rest as the company may require. The road to begin at such a point as the company may direct. No doubt the beginning is to be at Newbern, and thence towards Raleigh—at least 1000 shares will, I trust, be taken here—I believe more. We can do and ought to do better. The charter will be an advantageous one—4000 shares will be enough to make as good a Rail-Road as we need from Newbern to the vicinity of this place—once extended thus far, and nothing can prevent its subsequent extension to the West. As the Road continues, its advantages, as well as the benefits to the community, increase in a Geometrical proportion. The bill author-