

PUBLISHED EVERY SATURDAY

The North Carolinian

TERMS OF ADVERTISING: One square of twenty-one lines or less, for one insertion, 60 cents; every subsequent insertion, 30 cents...

In advance, per year, \$2 00 Not paid in advance, 3 50 Not paid until six months have expired, 3 00 Not paid till the year has expired, 3 50

"CHARACTER IS AS IMPORTANT TO STATES AS IT IS TO INDIVIDUALS; AND THE GLORY OF THE STATE IS THE COMMON PROPERTY OF ITS CITIZENS."

BY WM. H. BAYNE.

FAYETTEVILLE, N. C., JANUARY 20, 1849.

VOL. 9—NO. 517.

MEMBERS OF THE LEGISLATURE. The following is a list of the members of the Legislature of North Carolina, convened in the city of Raleigh on the 20th of November, 1848.

- SENATORS: Anson, D. D. Daniel, Ashe, George Bower, Beaufort, J. M. Smith, & Hyde, T. D. Smaw, Bertie, L. Thompson, Bladen, R. Wooten, Buncombe, N. Woodson, Henderson, N. W. Woodson, Burke, Samuel F. Caldwell, Patterson, Cabarrus, R. Kendall, Currituck, J. B. Bernard, Carteret, J. E. S. Bell, Caswell, C. W. H. Thos, Chatham, W. Albright, Chowan, W. H. Willey, Craven, W. H. Washington, Cumberland, J. H. H. Jones, Davidson, J. W. Thomas, Duplin, S. D. Graham, Edgecombe, Wyatt Moore, Franklin, James Collins, Greene & Gates, H. W. Washington, Halifax, A. J. Leach, Hertford, W. N. H. Smith, Iredell, G. F. Davidson, Johnston, Wm H Watson, Lincoln & W. H. Con-

NORTH CAROLINIAN. Wm. H. Bayne, Editor and Proprietor. FAYETTEVILLE, N. C. JANUARY 20, 1849.

The Cholera was killing 20 a day at Cincinnati, but later accounts say it has almost disappeared.

By Telegraph for the Charleston Mercury. NEW YORK, Jan. 10, 1849. Col. Dix of the army is reported to have died of Cholera on the Ohio river, near Wheeling.

Hon. D. R. Atchison, dem., has been re-elected by the Legislature of Missouri, a Senator from that State for six years from the 4th March next, when his present term expires. Serious difficulties have recommenced in the Ohio Legislature. The committee appointed to count the votes for Governor at the election in October last, have reported in favor of Col. John B. Wellers, the democratic candidate, who they say has a majority of 250 votes over Ford, who was supported by the whigs and abolitionists. The chairman of the two houses in Convention, however, declared Ford to be elected, and gave his certificate to that effect. This was pronounced by the democratic members fraudulent and false, when a violent altercation ensued, and some of the members interchanged blows. The Convention broke up in great disorder, and the most violent excitement prevails in Columbus.

The Cholera is raging extensively in the west, and many deaths have ensued. It has entirely disappeared in New York.

Later From Europe.

The Charleston papers of 30th inst., contain the news of the last arrival from Europe, which is up to the 30th December. It throws rather a damper on the cotton market, which was reported dull and drooping. But quotations are made at 8 1/2 cts for middlings. Flour \$6 per bushel. In France, Louis Napoleon has been proclaimed by the National Congress, President of France until May 1852. He took the oath of office, and delivered his inaugural address, much in the same way that our Presidents do, giving an outline of what will be the policy of his administration. He declared that he would consider any persons who should attempt to overturn the Republican institutions of France as enemies to their country. He spoke very highly of Gen. Cavaignac, his competitor for the Presidency. The new government has declared that France will not intermeddle in the affairs of foreign countries. It is to be hoped they will stick to that. Nothing definite with regard to the affairs of Italy and the movements of the Pope.

30TH CONGRESS. SECOND SESSION. January 9, 1849.

In the Senate, a memorial was presented from Wells & Co., asking the aid of the Government in constructing a railroad across the Isthmus of Tehuantepec. Like the company who propose to build a road across at Panama, they want the contract for carrying the mails. We doubt if either company will get aid.

Mr. Berrien, chairman of the Judiciary Committee, reported the bill for the admission of California, to which he added a written report, which was read. This report says that the people of California and New Mexico are strangers to our constitution and laws, and untried to be incorporated into our Union; that the treaty with Mexico did not contemplate any such thing, but expressly provides that said inhabitants shall be brought into the Union at such time as Congress shall think proper. This, we think, a very strained argument of the report; and is followed by another strained attempt to prove that Congress has not the right to make or create a State, because the constitution only says Congress may "admit" new States; therefore, argues Mr. Berrien, Congress has not the power to create. Mr. E. R. report further argues that the proposed territory is too large for one State, and under the Constitution, could not be discovered, or cut into two States without its consent; consequently the clause in the bill to admit this State is unconstitutional. This report of the Judiciary Committee winds up by a resolution to the effect that it is inexpedient to admit California and New Mexico as a State; but that it is expedient that Territorial governments should be formed for them. Mr. Douglas, the author of the bill to admit California, replied with much force of argument to the objections raised by the report. A running discussion was kept up on the subject for several hours, which resulted in ordering Mr. Berrien's report to be printed, and further action on the subject delayed until a minority report could be prepared.

In the House, the Indian appropriation bill was passed and sent to the Senate. The civil and diplomatic appropriation bill was next taken up and debated, but no action was taken on it. January 10. In the Senate, a long discussion took place, of no interest to any but those engaged, and hardly of much to them. In the House, a discussion took place on the subject of Mr. Gott's resolution about the slave trade in the District of Columbia, but the House adjourned without final action on the subject. January 11. In the Senate, nothing but the consideration of private bills for the relief of individuals having claims against the Government, occupied the day. The House was engaged on the general appropriation bill. When the appropriation for pay and mileage of members of Congress was reached, a general debate occurred, during which, Mr. Greeley of New York, was grossly insulted by Mr. Turner of Illinois, a democrat. He took it very calmly, and we suppose will make up for it by scoring Mr. Turner in his paper, the Tribune. January 12. The Senate passed the appropriation bill sent to them on the 9th, and then adjourned. In the House, a debate upon a private bill ended in nothing. Another debate occurred upon a motion to arrest a witness who refused to testify before the House committee. No action taken. News from Havana to the 7th Jan'y, says that Sugar was of dull sale, but on account of small stock on hand, sales were made at 5 1/2 cents for brown, and 5 1/4 for white. Molasses 16 to 17 cents.

N. C. LEGISLATURE. Tuesday, Jan. 9. SENATE.

The Senate proceeded to the unfinished business, and the supplementary bill to divide the county of Stokes, passed its 3rd reading. The engrossed bills to improve the Cape Fear and Deep Rivers above Fayetteville; to incorporate the Union Guards; to amend the Rev. Stat. entitled forcible entry and detainer; to incorporate the N. C. Blues, in Wake; to amend the acts to lay off and establish the county of McDowell, passed their third reading. The engrossed bill to incorporate Union Manufacturing company, in Fayetteville. Passed its 3rd reading.

The Senate then proceeded to vote for Superior Court Judge. Hon. William H. Battle was duly elected by the Joint vote; having received 123 out of 156 votes cast—scattering 33. Mr. Rogers offered a Resolution, proposing to send a resolution to the House, fixing the day of adjournment on the 20th inst. Adopted.

Mr. Worth introduced the following preamble and resolution: Whereas, there are many and important measures for Internal Improvement in the State, now before the General Assembly; And Whereas, inasmuch as the aid of the State will be required for their successful prosecution; It is deemed right and proper, before they are entered upon, to direct the public mind to the subject, and ascertain the public will: Therefore, be it Resolved, that the Governor of this State be, and he hereby is requested to convene the General Assembly, in special session, sometime in the Fall of the present year.

The order of the day, being the bill concerning the Wilmington and Raleigh Railroad company, was then taken up. [The main objects of the bill are—1st, to extend the credit of the State to said company, to enable them to raise \$520,000, for the purpose of laying down the road with better iron; and 2d, that one-half of the Stock of the State in this Road, may be transferred to the Wilmington and Manchester Road.]

The discussion on this bill had proceeded to considerable length, when the Senate took a recess. Evening Session. The Senate met at half past six, but without transacting any business, adjourned to attend the Lecture of Mr. Vattemare, on a system of International exchange.

HOUSE OF COMMONS. Presentations of Bills &c.—By Mr. Dobbin, a bill concerning Widows—referred to committee on Judiciary. By Mr. Mcbane, a resolution to instruct the Judiciary committee to enquire into the propriety of repealing an act to prevent the imprisonment of honest debtors—adopted. By Mr. Dobbin, a resolution for the relief of S. W. Tillinghast and others—referred to committee on Private bills. By Mr. Martin, a resolution in favor of Young Patterson—referred to committee on Private bills. By Mr. Williamson, a bill to incorporate the Columbus Guards. By Mr. Dobbin, a bill to incorporate Concord Division No. 1, Sons of Temperance. By Mr. Waiser, a resolution fixing the time of adjournment sine die, on the 22d January—laid on the table.

Mr. Caldwell, of Burke, moved that the Judiciary committee be allowed to hold its meetings during the sittings of the House. Agreed to. Mr. Smith, from the committee on Private bills, reported favorably to the bill to prevent the sale of spirituous liquors within a certain distance of Floral College, which passed its 2d reading.

Mr. Dobbin moved that when the House take a recess, that it be until 4 o'clock, instead of 3. Carried. The hour arrived for the election of Superior Court Judge, the House proceeded to vote.

After the voting was over, Mr. Mosely remarked that as there was no Democratic Nominee before the House, the vote he had just given, would seem like he was disposed to make the election of Judge a political matter; and therefore he asked leave to change his vote in favor of the Hon. W. H. Battle.

A message was received from the Senate transmitting the engrossed bill to locate the Judges of the Superior Court—passed its 1st reading. The order of the day, the bill providing for amendments to the constitution, was next taken up. Mr. Hicks offered an amendment, that in the arrangement of the senatorial Districts, the white population should only be considered. Mr. Keene moved the indefinite postponement of the bill, and addressed the House in opposition to it, denouncing it as a question fraught with the direst evils. Mr. Hicks spoke briefly in favor of his amendment.

Mr. Barringer inquired of Mr. Keene if he voted for the Hon. D. S. Reid, in the August election. Mr. Keene replied that he did, but because his opinions and those of the Hon. D. S. Reid accorded on other political questions. The question was then taken on the motion for indefinite postponement, and decided in the negative by a large majority. Mr. Rayner then took the floor, and was speaking when the speaker announced recess.

Mr. Scott, from the Committee to superintend the election of Judges, reported that Battle had received 123 votes, Dobbin 16, Strange 2, Bigg, 4, Hall 1, Rodman 1, C. Edney 1, Graves 4, Whitaker 1, Craige 1. Hon. W. H. Battle was therefore declared duly elected.

According to previous decision, the House proceed to the consideration of bills on their 2d reading, when the bill to attach a portion of Yancey to Buncombe county, passed its last reading. Mr. Caldwell, of Burke, introduced a resolution in relation to the contested election from Surry, giving the sitting member until the 22d, to take depositions. Mr. Person, of Moore, offered an amendment to the resolution, by striking out 23d and insert 18th.

On this there was a short discussion between the mover and Messrs Caldwell of Burke, Stanly, Oglesby and Keene—the amendment was rejected. Mr. Person offered another amendment, which was also rejected, and the resolution prevailed. The bill to incorporate the Martin and Bertie Turnpike company, was read 3d time and passed.

Wednesday, Jan. 10. SENATE. Mr. Drake, from the committee on Finance, reported a bill to amend the Rev. Stat. relating to Roads. Mr. Woodfin, from the Judiciary committee, reported the bill to incorporate the town of Goldsboro; also, a bill to amend the 63th chapter of revised statutes; also, the bill making more suitable provision for females covert, with an amendment. These reports lie over.

Mr. Albright introduced a resolution respecting Weights and Measures in Chatham county. Mr. Spicer, in relation to the late Sheriff of Onslow. Mr. Hawkins, a bill to extend the corporate limits of the town of Warrenton, with a protest. Referred. Mr. Smaw, to incorporate Bear Creek Canal company. Passed its 1st reading. The Senate proceeded to the unfinished business, being the Wilmington and Raleigh Railroad bill, the pending question being on Mr. Worth's motion to postpone the bill indefinitely.

HOUSE OF COMMONS.

Mr. Patterson, from the Committee on Internal Improvement, to whom was referred a bill to improve the navigation of Catawba river, reported a substitute, and recommended its passage. Mr. Watson, from the Committee on Finance, to whom the subject was referred, reported a bill to raise the tax on retailers of Spirituous Liquors to \$10. These bills and resolution passed their first reading.

Mr. Thomas, of Davidson, introduced a memorial of sundry citizens of Lexington, and its vicinity, praying that the advantages of Lexington be considered favorably as a suitable place to locate the Lunatic Asylum. Laid upon the table.

The Senate resumed the consideration of the unfinished business, being the Wilmington and Raleigh Railroad bill, the question being on the motion of Mr. Smith to amend by striking out part of the 12th Section—the effect of which would be to cut off the transfer of Stock, &c. The question was then taken on Mr. Smith's amendment, which by Yeas 20, Nays, 27, was rejected.

Mr. Thompson, of Bertie, offered an amendment, requiring indemnifying bonds from the Stockholders of said Company. This amendment was considered as fatal to the bill. The question was decided in the negative. Mr. Smith moved a proviso, that none of

the mortgages shall be foreclosed without the consent of the Legislature, hereafter to be given. Mr. Woodfin moved to amend the amendment, providing that foreclosure or sale under either of the mortgage, shall not take place within two years from filing a bill for said purpose, and until notice has been given to the Legislature. Carried. The amendment was then adopted.

The bill then passed its second reading, as amended, Yeas 32, Nays 16. Mr. Lillington remarked, as he did not consider this a test vote, he voted aye. The Senate then proceeded to the special order of the day, viz: the bill to incorporate the North Carolina Railroad Company, the question being on its passage at the second reading.

Those who voted in the affirmative are Messrs Albright, Ashe, Bell, Daniel, Davidson, Gilmer, Hargrove, Hawkins, Joyner, Kendall, Lillington, Lane, Miller, Patterson, Rowland, Shepard, Smaw, Thomas, of Davidson, Thomas, of Haywood, Thompson, of Wake, Washington, Woodfin, Worth—23.

Those who voted in the negative are Messrs Barnardy Berry, Bethell, Bower, Collins, Conner, Drake, Exum, Faison, Graham, Halsey, Hester, Moye, Murchison, Reich, Rogers, Smith, Spicer, Speight, Thompson, of Bertie, Walker, Ward, Watson, Willey, Wooten—25.

The Senate then proceeded to consider the bill to consolidate the several acts relating to Common Schools. Mr. Gilmer offered an additional section to the bill, to come in after the 3d, providing that the distribution of the Literary or School fund shall hereafter be according to white population.

Mr. Smith was entitled to the floor, and proceeded to address the Senate against Mr. Gilmer's amendment. Mr. Woodfin replied to Mr. Smith, and in favor of the distribution according to the white population. The amendment was rejected, Yeas 16, Nays 81.

Mr. Smith moved an amendment providing that an abstract of the Common School laws, with forms, instructions, &c. shall be printed and furnished School Committees. Mr. Smith's amendment was then adopted.

Mr. Smith moved another amendment to give the appointment of Select Committee men to the Board of Superintendants. Carried. Mr. Kendall moved to strike out the 8th Section, allowing the superintendents \$1,000 per day for their necessary attendance. The motion prevailed.

Mr. Lillington offered a substitute for the 9th Section, providing for the appointment of a General Superintendent, &c. HOUSE OF COMMONS. A message was received from the Senate, refusing to concur in the recommendation of Justices of the Peace for Gates county. Another message from the Senate, recommending certain persons for Justices of the Peace. Not concurred in.

The special order—the bill providing for amendment of the constitution—was then taken up; when the House resolved itself into committee of the whole, Mr. Mcbane in the Chair; and Mr. Leach, of Davidson, being entitled to the floor, gave way for Mr. Jones, of Rowan, who moved that the Committee rise and report the bill and amendments to the House. Carried.

Mr. Mcbane then reported the bill and amendments back to the House. At this stage of the proceeding, the House got into great confusion, and much time was consumed in a discussion of Parliamentary Rules. The Speaker decided that the question before the House was the concurrence in the committee, which was concurred in.—The Speaker then announced that the question before the House was the adoption of the amendment of Mr. Rayner. Caldwell then offered an amendment to the amendment of Mr. Rayner; when Mr. Steele addressed the House, in favor of Mr. R's amendment, in some very sensible and forcible remarks. Mr. McMullen also spoke briefly in favor of the original bill.

The Speaker then announced the hour for recess. Evening Session. The following bills and Resolutions were read the 3d time and passed: a bill to incorporate the Hickory Nut Turnpike Company; bill to incorporate Wake County Rifle Company; bill to incorporate the Mutual Life Insurance Company; bill to authorize Cornelius Shields to build a bridge across Bear Creek, in Moore County. The resolutions reported by the Select Committee in place of Mr. Steele's were read the 3rd time, when Mr. Jones, of Orange, moved to make them the order of the day for Saturday at 11 o'clock. Lost. Mr. Stanly then moved to lay them on the table. Lost. On the question of the passage of the resolutions a protracted discussion arose, which was participated in by Messrs Stanly, Dobbin, Steele, Rayner, Satterthwaite and Taylor, of Nash. The motion to strike on the 4th Resolution did not prevail. Mr. Dobbin moved to postpone the Resolutions until to-morrow half after 10 o'clock. In favor of this question Messrs Dobbin and Stanly addressed the House. Mr. Miller spoke in opposition to it. The motion of Mr. Dobbin prevailed. On motion of Mr. Hays the House adjourned.

NOTICE. The Subscribers intend closing their business by the 1st of December, and wish to leave this place in the best of all persons taking to us, either by note or account, are requested to call and settle as soon as possible; and those having claims against us, to present them by the 1st of December. Fayetteville, Nov. 25, 1848. W. C. JAMES & CO.

A fine assortment of single and double barrel GUNS for sale at very low prices. Oct. 21, 1848. 504-54 No. 43 north side Hay st. JAS. G. SMITH, REPAIRER AND HAIR DRESSER, FAYETTEVILLE, N. C. Has opened and fitted up in a handsome and comfortable manner, a room on Hay street, next door west of the Methodist Episcopal Church, where he hopes to receive a share of public patronage in his line. November 4, 1848.

HIRING NEGROES. I will attend to hiring negroes for any one wishing an agent. JNO. M. ROUSE, Auctioneer. December 16, 1848.

A. M. CAMPBELL, AUCTIONEER, AND Commission Merchant, Fayetteville FOR SALE. That beautiful residence on Haymont, formerly belonging to C. P. Mallett, Esq. near the residence of Mr. Hale, is offered for sale. It has stables and out-houses of all kinds; and everything in complete order. This residence is so well known, and is so commanding a site, overlooking the town, that further particulars are unnecessary. Enquire at the Carolina Office. June 10, 1848. 460-17.