

THE LEGISLATURE.

SENATE.

Monday, Jan. 15.—Mr. Croom presented a resolution, instructing the Judiciary committee to inquire into the expediency of requiring the Secretary of State to issue duplicates of all warrants issued by him, from the 30th November to the day of his re-election, during the present session.

Mr. Ward presented a resolution instructing the committee on the Patrol laws to inquire into the expediency of passing a law, declaring all runaway slaves who carry arms, outlawed, and to prevent masters from running off their slaves when guilty of felons.

Mr. McKay introduced a bill to prohibit the use of spirituous liquors at company meetings, which was read the first time. [Provides that no liquor shall be sold, loaned or given away, under a penalty of—dollars, within five miles of any muster ground; if any person be found intoxicated at such place, to be fined—dollars.]

The bill to divorce S. M. J. Edney, of Buncombe, from his wife, was read the second and third time, and ordered to be engrossed.

The bill further to amend the act, making the protest of a Notary Public evidence in certain cases, was read the second time, and on motion of Mr. Sneed, referred to the Judiciary Committee—[Provides that a protest shall be received as evidence of a demand upon the acceptor or drawee of any bill of exchange in all actions at law, against the drawer or indorser, if such demand is set forth in said protest.]

An engrossed bill was received from the House of Commons, to allow the Taxsmen Judges of the County and Superior Courts of Orange, to receive pay, which was read the first time.

Thursday, Jan. 16.—Mr. Pickett, from the committee on the Judiciary, to whom the subject was referred, reported a bill limiting the time in which executions shall be brought on judgments, bonds, and other sealed instruments, and equity of redemption on mortgages, which was read the first time.

Mr. Pickett, from the same committee, to whom it was referred to inquire whether it is not expedient to make the laws concerning usurious contracts more penal, reported that the laws on that subject are sufficiently severe, and that it is inexpedient to legislate on the subject. Concurred in.

Mr. Forney, from the Committee of Propositions and Grievances, reported unfavorably to the petition of Saml. Jenkins, of Buncombe, which was concurred in.

Mr. King presented a resolution instructing the Judiciary Committee to inquire into the expediency of passing a law to authorize any two of the Judges of the Supreme Court, to try all causes coming before them in as full a manner as though all three were present.

The bill concerning frauds and perjuries in certain cases, was read, and on motion of Mr. Sneed, ordered to lie on the table and be printed. [Provides that after the 1st January, 1823, no action shall be brought whereby to charge any Executor or Administrator, upon any special promise to answer damages, out of his own estate, or to charge the Defendant upon any special promise to answer for the debt, default or miscarriage of another person, unless the agreement upon which such action shall be brought, or some memoranda or note thereof, shall be in writing, and signed by the party charged therewith, or some person thereunto, by him, lawfully authorized, any law, usage, or custom to the contrary notwithstanding.]

Wednesday, Jan. 17.—Mr. Smith presented a bill to prevent the falling of timber in Abbot's Creek in Davidson county—which was read the first time.

Mr. Forney, from the committee of Propositions and Grievances, reported unfavorably to the petition of James Whitaker and Michael Wickle, praying for authority to erect a bridge over the Tennessee river, which was concurred in, and the bill founded on that petition was rejected.

Mr. Pickett, from the Judiciary committee, to whom the resolution was referred directing them to inquire into the expediency of requiring the Secretary of State to issue duplicates for all grants issued by him during a supposed interregnum, reported a bill to validate all grants issued from the 29th November, 1826, to the 29th December, of the same year—which was read the first time.

Mr. Stokes from the committee of Finance to whom was referred the petition of Josiah Cowles, praying that the tax on pedlars in small wares, may be lessened, made a report stating that it is inexpedient to grant the prayer of the petitioner, which was concurred in. Mr. Stokes submitted a resolution to instruct the committee of Finance to report a bill to reduce said tax, which was rejected.

Thursday, Jan. 18.—Mr. Deberry, presented a bill praying for free ferries in Montgomery county. Mr. Ward, a bill to repeal the third section of an act passed in 1820, to extend the jurisdiction of Justices of the Peace.

Mr. Croom from the Committee on that part of the Governor's Message relating to Cherokee lands, made a report and recommended the passage of "a bill prescribing the mode of surveying and selling the lands lately acquired by treaty from the Cherokee Indians."

Mr. Pickett from the Judiciary committee, who were instructed to inquire into the expediency of passing a law, to empower the County Courts to establish Poor and Work Houses, reported that it is inexpedient to pass a general law on the subject.

A bill to prevent the falling of timber in Abbot's creek, in Davidson county—a bill to divorce Mary Pledy of Ashe, from her husband, were ordered to be engrossed.

The bill to repeal part of an act passed in 1820, directing the County Courts to pay certain fees to certain officers therein named, having been read the second time and amended, Mr. Stokes moved that it be referred to the Judiciary committee with instructions to report a general bill on the subject—which was agreed to.

The bill to prevent the migration of free persons of color into this State, for the good government of such persons resident therein and for other purposes, was read the 3d time.

Mr. Joiner remarked there were constitutional difficulties, in the way of this bill, which ought to prevent its passing. There were principles in it, independent of these difficulties, which he never could support, so long as he considered himself an accountable being.

The question, shall this bill pass its 3d reading, was determined in the affirmative, 45 to 14, and ordered to be engrossed.

The Senate took up the order of the day, and resolved itself into a committee of the whole, on the bill to alter the time of the annual meeting of the General Assembly. Mr. Seawell in the Chair. The bill proposes to alter the time back to the 3d Monday in November.

The question on the passage of the bill was decided in the affirmative.

Mr. Stokes from the Committee of Finance, who were instructed to inquire into the expediency of authorizing the Revenue Officers to collect the public taxes at an earlier period of the year, reported that it is inexpedient to make any alteration. Concurred in.

Friday, Jan. 19.—Mr. Roberts presented a bill to amend the county court of Surry, in making extra allowance to the sheriff and other officers.

Mr. McKay presented a bill to require defendants before they are put upon their trial, to except to such matters in the indictment, as might after conviction be assigned as reasons in arrest of judgment, which were read the first time.

Mr. Sneed, presented a bill concerning the entry of marsh lands in this state.

A message was received from the house of commons, stating that they have passed the following engrossed bills, in which they ask the concurrence of the senate, viz: A bill to divide the militia of Burke county; a bill vesting in the county courts the power of giving permission to individuals to erect toll gates, and impose a tax on the same.

Mr. Love, moved that a message be sent to the house of commons proposing to ballot to-morrow for seven trustees of the university of the state, and informing them that the following gentlemen are in nomination, viz: Nathaniel Macon, Samuel King, Judge Donnell, Gavin Hogg, Charles Fisher, Charles A. Hill, Isaac Croom, James F. Taylor, Charles Manley, Cadwallader Jones, David L. Swain, Thomas Settle, William Sneed, and Stephen Miller.

The bill to unite the offices of clerk of the superior court and clerk and master in equity, wherever any vacancy may hereafter occur in the latter office, was read the third time and ordered to be engrossed.

The bill for the relief of securities and endorsers in certain cases, which directs the sheriff in the first instance to levy on the goods and chattels of the principal before having recourse to the security, was read the second time. A short debate ensued on the bill. It resulted in its being recommitted to a select committee, to make the desired amendment in its details.

HOUSE OF COMMONS.

Saturday, Jan. 13.—Mr. Swain presented a bill to prescribe the mode of legitimizing bastard children and of altering their names, which passed its first reading.

Mr. Poor, a bill to divide the third Regiment of Burke Militia, which was referred to the Military Committee.

Mr. Fisher, a bill to change the form of proceedings in actions of Ejectment, which was referred to the Judiciary Committee. On motion, Mr. Giles was added to the Committee on Internal Improvement, and Mr. Morehead to the Judiciary Committee in the place of Judge Strange.

Mr. Lewis of Caswell, and Messrs. Alexander, Allison and White, were appointed, on the part of this House, a Committee of Enrolled Bills.

On motion of Mr. Bain, the Judiciary

Committee was instructed to inquire into the expediency of amending the existing laws relative to intestate's estates, so that an equal distribution of lands shall take place between the heirs of a deceased person, in proportion to advances made to them in his or her life time.

On motion of Mr. Montgomery, the Military Committee was instructed to inquire into the propriety of distributing the Military Arms in possession of the State, amongst the Volunteer Corps.

The bill requiring Clerks, &c. of the several counties, to keep their offices at their court houses, passed its second reading, 45 votes to 23.

Mr. Alexander called up for consideration, the Report of the Committee of Claims, on the petition of Jesse Stencil, praying for relief. The report was unfavorable; which being read, Mr. A. moved a resolution that said Stencil be placed on the Pension list, and directing the Public Treasurer to pay to the petitioner \$75 a year, for the remainder of his life. Mr. A. said the applicant had served two years of duty, the one under Gen. Gates, and the other under Capt. Oliver; that he had been an industrious man while he was able to work, and never thought of applying to Government for any allowance, until he became unable, from age and infirmity, to earn his bread.

The resolution passed its first reading. The bill to require conveyances of lands and negroes to be published, was indefinitely postponed.

The Governor informed the House by Message, that there are seven vacancies in the board of Trustees of the University.

Monday, Jan. 15.—Mr. Sprull, from the committee of Claims, to whom was referred the bill for the relief of Samuel Jones, of Rowan, recommended that said bill be passed into a law. It accordingly passed its first reading.

Mr. Saigster, from the committee on Agriculture, to whom was referred the petition of George Phillips of Buncombe, reported it to be inexpedient to grant the prayer of the petition. The Report was concurred with.

Mr. Morehead presented a bill to advance the administration of Justice in Courts of Equity, and to establish Courts for that purpose, which passed its first reading, and was made the order of the day for to-morrow.

Mr. Alford, a bill to amend an act passed in 1741, for establishing and maintaining Court Houses, &c. and prescribing rules to each county prison for debtors. [This bill proposes to extend the rules to the limits of each county.] Passed its first reading.

The resolution in favor of Jesse Stencil of Mecklenburg, an old, infirm revolutionary militia man, proposing to allow him a pension of \$75 a year, was read the 2d time; when Mr. R. H. Jones rose to oppose it. He called for the Yeas and Nays—which on being taken, there were only 17 votes in favor of the second reading of the resolution, and 89 against it.

Thursday, Jan. 16.—Mr. Settle, from the committee of Propositions and Grievances, to whom was referred the petition of sundry inhabitants of Wilkes county, reported that it was inexpedient to comply with the wishes of the petitioners, which was concurred with.

Mr. A. Moore from the committee on Internal Improvements to whom was referred a Resolution instructing them to enquire into the expediency of altering the laws in regard to public mills, reported it as the opinion of the committee, that it would be unpolitic to carry into effect the object of the Resolution, and asked to be discharged from its further consideration.

The following bills were presented: By Mr. Carson, a bill to appoint commissioners to lay off a road from Lincoln to Rutherford, which passed its first reading;

By Mr. Shipp, a bill appointing commissioners to lay off a road in Lincoln county, and a bill to appoint commissioners to erect a building in the town of Lincoln for the accommodation of Jurors, which passed their first reading.

On the 17th, the Commons, immediately after electing Gen. Fredel' Speaker pro tem. and hearing a short address from him, adjourned.

Thursday, Jan. 18.—Mr. Fisher presented the petition of the heirs of Joseph Cunningham of Rowan, in relation to a piece of confiscated land sold to their ancestor. Referred to the committee of claims.

The Governor sent a communication to the Legislature, from the Executive of Georgia on the subject of the dispute which had taken place between him and the General Government in relation to the Cherokee lands; which being read was ordered to lie on the table.

Mr. Bain, from the committee of divorce and alimony, made a report from Elizabeth H. Cox, of Craven, Susannah Tindall, of Haywood, John Fugate, of Wilkes, James W. Mills, of Mecklenburg, and Elizabeth Dare, of Guilford, and reported a bill for their relief, which being read was ordered to lie on the table, in order that all the cases of this

kind which are before the Legislature might be considered at the same time.

Mr. Scott, from the select committee to whom was referred the memorial of A. D. Murphy, who prayed for further aid to enable him to complete the publication of his History of North Carolina, reported a bill to authorize the President and Directors of the Literary Fund to raise by way of Lottery \$50,000, which passed its first reading.

Mr. Settle, from the committee of Propositions and Grievances, reported a bill to restore Amos Harmon of Wilkes to credit. Both bills passed their first reading.

Mr. Wyche offered the following resolution:

Resolved, That a committee of three be appointed by the Speaker for the purpose of corresponding with different capitalists, in order to know on what terms two millions of dollars in specie, can be obtained, by her creating stock in that amount, one half reimbursable in the year 1840, and one half in 1850, and that they report to the next General Assembly.

Mr. Swain said, it would be right, before the Legislature hazarded the credit of the State by enquiring at what rate she could borrow so much money, that the House should know for what purpose it was wanted.

Mr. Wyche answered, that it was his intention, should he be a member of the next Legislature, to propose the establishment of the Bank of the State, provided he could obtain for it a specie capital; but unless he could obtain specie for this purpose, he would not attempt it.

On motion of Mr. Fisher, the resolution lies on the table till to-morrow.

On the consideration of the resolution, it was negatived by a large majority.

A message from the Senate, informed the House that they agreed to their proposition for appointing a committee to draft a Memorial to Congress, asking for an appropriation for the extinguishment of the Indian title to such lands in this State, as are yet occupied by the Indians, and appointing for this purpose, Messrs. Croom, McKay, King, Love and Beard. The House appointed on its part, Messrs. Toomer, Swain, White, Ship and Donohoe.

Mr. R. H. Jones, from the Judiciary committee, to whom was referred a Resolution on the subject of a new revision of our Statutes, reported a bill for revising and digesting the public statute laws of this State. [The bill proposes that Wm. Gayson, Thomas Ruffin and George E. Bidger, be employed for this purpose.] The bill was ordered to be printed, and to be made the order of the day for Saturday.

Mr. Jones, from the same committee, to whom was referred a bill respecting the duties of constables; the committee are of opinion, that no alteration of the law on the subject is necessary, and recommend the rejection of the bill. It was rejected accordingly.

Mr. J. made a further report on a Resolution proposing an alteration in the law, so as to oblige Constables to return their warrants in the district in which the debtor resides. This the committee is of opinion would be inexpedient, which was concurred with.

Mr. J. also reported from the same committee, a bill to compel Executors to give security, in certain cases, which passed its first reading.

Mr. Ship, presented a bill to incorporate the Franklin Library Society of Buffalo to Lincoln county, and a bill to appoint commissioners to lay off a road from Charlotte to Morganton. Mr. Green, a bill more effectually to secure debts due to Carpenters in certain cases; Mr. Webb a bill to extend the time for registering grants, deeds, &c.

Mr. St. Clair, a bill concerning the Attorneys and Solicitor General and Solicitors. [This bill provides that these officers shall be allowed a certain sum for each Court they attend, and shall receive no fees in any case.]

On motion, Mr. Toomer was added to the Judiciary Committee. The bill for making private acts printed by the public printer, evidence in our Courts, passed its third reading.

The bill to allow Sheriffs 10 cents a mile for travelling to Raleigh to settle their accounts, was rejected.

A bill from the Senate to prevent frauds and perjuries, in certain cases, passed its first reading.

We have received from a naval friend, (says the New York Times,) the following list of U. S. ships of war now building:

Table listing ship names and locations: Alabama, 74 at Portsmouth; Virginia, 76 Boston; Vermont, 74 do; Pennsylvania, 54 Philadelphia; New York, 73 Norfolk; Santee, 44; Savannah, 44 New-York; Sabine, 44 do; Raritan, 44 Philadelphia; Cumberland, 44 Boston; Columbia, 44 Washington; St. Lawrence, 44 Norfolk; Concord, 18 Portsmouth; Warren, (launched) 13 Boston; Falmouth, 13 do; Fairfield, 13 New-York; Vandalia, 13 Philadelphia; Natchez, 18 Norfolk; St. Louis, 18 Washington.

Salisbury:

FEBRUARY 4, 1827.

REMOVAL.

The Office of the Western Carolinian is REMOVED from the building which it formerly occupied East of the Court-House, to one on the same street South of the Court-House, immediately opposite the Bank; where those who may have business with the establishment, will please heretofore to apply.

In accordance with the rule we have laid down for our guidance as an impartial public journal, we give publicity to a communication on our fourth page, in the subject of negro emancipation; as being the least objectionable, on the score both of style and propriety, of a number on the same subject, which we have received during the last six months, and which, we will here take occasion to say to their authors, were not published for the reason that they were either too long for a weekly paper, or came too much in conflict with the settled opinions of the great mass of the community, to render their publicity expedient. If those of our citizens who appear to be so entirely devoted to the emancipation of the blacks, are really conscientious in the cause they have espoused, they certainly have a right to be heard, when they reason on the matter. And however we may believe their sympathies are misdirected, and their benevolence wasted as "perfumes on the desert air," yet as freedom, as citizens of a Republican government, they cannot, except by oppressive exaction, be denied the right, in common with the rest of us, of controlling their own charities, and determining what objects are most worthy of their benevolence. But in saying thus much, we would not be understood as approving of the measures of the manumission societies of this state; for we believe much of their doings has a pernicious tendency. Were they strictly to confine themselves to devising ways and means to rid the country of every black racial in it, as soon as he becomes free, we would go heart and hand with them. But unless they do this restrict their operations, we cannot but view their proceedings with suspicion and distrust.

Geo. W. Crump, representative in Congress from the district in Virginia formerly represented by Mr. Randolph, has sent home a circular to his constituents, expressing a determination not to be a candidate at the next election; and intimating that, as Mr. Randolph has lost his election for the senate, he will again offer for the House. Should he do so, there can be no doubt but that he will be elected; he cannot be kept out of Congress.

Kentucky.—Our readers have advised that a revolution in the local politics of Kentucky, was effected at the late election in that state,—giving a considerable majority in the legislature to what is called the new court party; the law establishing the new court of appeals, (which court had been the cause of much party strife and bitter recrimination among the politicians of that state) was consequently repealed. Judge Boyle, chief Justice of the Old Court, was appointed U. S. district Judge; and the legislature have elected Gen. M. Bibb, Esq. a new court man, chief justice in his stead. A letter from Kentucky, to the editor of the Washington Telegraph, accounts for this apparent inconsistency in the legislature, by affirming that the subject of the Presidency influenced them in their choice.—Bibb and his friends being supporters of Jackson, and the others friendly to the administration. From hence, and other indications, the writer concludes that "Kentucky will go triumphantly for Jackson," at the next election.

Capt. Bache, and Lieuts. Boyce and Wragg, of the U. S. corps of engineers, have arrived at Wilmington, in this state, for the purpose of surveying the Cape Fear river from that town to its mouth. And we notice, in the last Wilmington paper, an advertisement of Capt. Bache, for boats and men to work on the river. As the U. S. government has now taken in hand the improvement of the navigation of the Cape Fear, we may confidently expect that something more beneficial to the state will be effected, than there has hitherto been, either by our quondam "chief civil engineer," or the "Board," on whom the mantle of his professional talents seems to have fallen!

The committee on divorce and alimony, in the house of commons of this state, to whom had been referred the petition of a free negro of Hertford county, praying to be divorced from his wife, reported on the subject, on the 22d ult. that he have leave to withdraw his petition! Why had he ever leave to present it?

Thomas H. Benton has been re-elected U. S. senator from Missouri, for the term of six years from the 4th of March next; Col. Benton received 40 votes; 13 scatters.

The corporation of Washington city has appropriated \$1000 for the relief of the sufferers by the fire in Alexandria. And the proceeds of the performance at the circus in that city, on the 2d ultimo, were given to the above purpose. A law has been passed by congress appropriating \$20,000, to be applied to the same benevolent purpose; the money was immediately drawn from the treasury, and deposited with the Mayor of Alexandria, for distribution among the sufferers.