

Western Carolinian.

SALISBURY, ROWAN COUNTY, N. C. TUESDAY, NOVEMBER 17, 1829.

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VIRGINIA CONVENTION.

Tuesday, Oct. 20.—Mr. Marshall, from the Committee on the Judiciary Department of Government, made the following report from the Committee:

1. Resolved, That the Judicial power shall be vested in a Court of Appeals, in such Inferior Courts, as the Legislature shall from time to time ordain and establish, and in the county courts. The Jurisdiction of these tribunals shall be regulated by law. The Judges of the Court of Appeals and of the Inferior Courts, shall hold their offices during good behaviour, or until removed in the manner prescribed in this Constitution; and shall at the same time, hold no other office, appointment, or public trust; and the acceptance thereof, by either of them, shall vacate his judicial office. No modification or abolition of any court, shall be construed to deprive any judge thereof of his office; but such judge shall perform any judicial duties which the Legislature shall assign him.

2. Resolved, That the present Judges of the Court of Appeals, Judges of the General Court, and Chancellors remain in office until the expiration of the first session of the Legislature, held under the new Constitution, and no longer. But the Legislature may cause to be paid to such of them, as shall not be re-appointed, such sum as, from his age, infirmities, and past services, shall be deemed reasonable.

3. Resolved, That Judges of the Court of Appeals and Inferior Courts, except Justices of the County Courts, and the Aldermen or other Magistrates of corporation Courts, shall be elected by the concurrent vote of both Houses of the General Assembly, each House voting separately, and having a negative on the other; and the members thereof voting *viva voce* . The votes of the members shall be entered on the Journals of their respective Houses. Should the two houses, in any case, fail to concur in the election of a judge, during the Session, the Governor shall decide the election, by appointing one of the two persons who first received a majority of votes in the Houses in which they were respectively voted for. But if any vacancy shall occur, during the recess of the General Assembly, the Governor, or other person performing the duty of Governor, may appoint a person to fill such vacancy, who shall continue in office until the end of the next succeeding session of the General Assembly.

4. Resolved, That the Judges of the Court of Appeals, and of the Inferior Courts, shall receive fixed and adequate salaries, which shall not be diminished during their continuance in office.

5. Resolved, That on the creation of any new county, Justices of the Peace shall be appointed, in the first instance, as may be prescribed by law. When vacancies shall occur in any county, or it shall, for any cause, be deemed necessary to increase their number, appointments shall be made by the Governor, by and with the advice and consent of the Senate on the recommendation of their respective County Courts.

6. Resolved, That the Clerks of the several Courts shall be appointed by their respective Courts, and their tenure of office be prescribed by law.

7. Resolved, That the Judges of the Court of Appeals and of the Inferior Courts, offending against the State either by mal-administration, corruption, or neglect of duty, or by any other high crime or misdemeanor, shall be impeachable by the House of Delegates, such impeachment to be prosecuted before the Senate. If found guilty by a majority of two-thirds of the whole Senate, such persons shall be removed from office. And any Judge so impeached shall be suspended from exercising the functions of his office until the impeachment shall be discontinued or withdrawn.

8. Resolved, That the Judges may be removed from office by a vote of the General Assembly, but two-thirds of the whole number of each House must concur in such vote, and the cause of removal shall be entered on the Journals of each. The Judge against whom the impeachment is about to proceed, shall receive notice thereof, accompanied with a copy of the causes alleged for his removal, at least twenty days before the day which either House of the General Assembly shall act thereupon.

The report having been read, on motion of Mr. Marshall, it was laid upon the table.

Mr. Giles, from the Committee on the Executive Department of Government, made the following report, which was read, and on motion, laid upon the table.

The Committee appointed on the Executive Branch of the Constitution, have, according to order, had under consideration the subjects referred to them; and

have come to the following resolutions thereon:

1st. Resolved, That the chief Executive Office of this Commonwealth, ought to be vested in a Governor.

2. Resolved, That there ought to be appointed a Lieutenant Governor of this Commonwealth.

3d. Resolved, That the Executive Council, as at present organized, ought to be abolished, and that it is inexpedient to provide any other Executive Council.

4th. Resolved, That in case of the removal of the Governor from Office, or of his death, resignation, or inability to discharge the duties and powers of his office, the said powers and duties shall devolve on the Lieutenant Governor; and the Legislature may provide for the case of removal, death, or similar inability of the Lieutenant Governor.

5th. Resolved, That the Sheriffs in the different counties in the Commonwealth, shall hereafter, be elected by the voters qualified to vote for the most numerous branch of the Legislature.

6th. Resolved, That the Commissioned Officers of Militia Companies be nominated to the Executive by a majority of their respective Companies.

7th. Resolved, That the field Officers of regiments be nominated to the Executive by a majority of the commissioned Officers of their respective regiments.

8th. Resolved, That no pardon shall be granted in any case, until after conviction or judgment.

Both reports were subsequently ordered to be printed.

Thursday, Oct. 23.—The Committee to whom was referred the Bill or Declaration of Rights, and all such parts of the present Constitution as are not referred to the committees on the Legislative, Executive and Judicial departments of the Government, have, according to order, had the subjects then referred under their consideration, and have further in part performance of the duties devolved on them, agreed upon the following resolutions:

1. Resolved, As the opinion of this Committee, That the Constitution of this State ought to be amended as to provide a mode in which future amendments shall be made therein.

2. Resolved, That the 1st and 3d sections of the present Constitution ought to be stricken out, and that an introduction clause, adapted to the amended Constitution, be submitted in lieu thereof.

3. Resolved, That the 12th, 21st, and 22d, sections of the present Constitution ought to be stricken out as no longer necessary.

4. Resolved, That the freedom of Speech and of the Press, ought to be held sacred and guaranteed by the Constitution.

5. Resolved, That no title of nobility shall be created or granted; and no person holding any office of profit or trust under the United States, or under any King, Prince, or foreign State, shall hold any office under this State.

6. Resolved, As the opinion of this Committee, that the Constitution ought to be so amended as to provide, "that no man shall be compelled to frequent or support any religious worship, place of ministry whatsoever, nor shall be enforced, restrained, or burthened in his body or goods, nor shall otherwise suffer on account of his religious opinions, or belief; but that all men shall be free to profess, and by argument to maintain their opinions, in matters of religion, and that the same shall in no wise diminish, enlarge or affect their civil capacities."

Mr. Taylor of Norfolk, a member of the Committee on the Bill of Rights and other matters not referred to the previous Committees, asked and obtained leave to lay upon the table the following propositions, which were read and ordered to be printed:

Resolved 1st, that the elective franchise should be uniform; so that, throughout the State, similar qualifications should confer a similar right of suffrage.

Resolved 2d, that, among those entitled by the Constitution to exercise the elective franchise, there should be entire equality of suffrage; so that, in all elections, the suffrage of one qualified voter should avail as much as that of another qualified voter, whatever may be the disparity of their respective fortunes.

Resolved 3d, that equal numbers of qualified voters are entitled to equal representation throughout the State.

Resolved 4th, that as individual suffrage should be equal, without respect to the disparity of individual fortune, so an equal number of qualified voters are entitled to equal representation, without regard to the disparity of their aggregate fortunes.

Resolved 5th, that in all pecuniary contributions to the public service, regard should be had to the ability of individuals to contribute; and as this ability to pay, from disparity of fortune is unequal

it would be unjust to require each citizen to pay an equal amount of public taxes.

On motion of Mr. Summers, the Convention then adjourned.

Friday, October 23.—The Convention met at 2 o'clock, and was opened with prayer.

Mr. Madison, from the committee on the Judicial Department, asked and obtained leave, that that committee might sit for the discharge of its duties during the sittings of the convention.

Mr. Taylor, from the committee on the Bill of Rights, &c. not referred to the previous committees, asked and obtained leave, to lay upon the table, the following propositions, which were read and ordered to be printed.

1. Resolved, That the elective franchise should be uniform; so that, throughout the State, similar qualifications should confer a similar right of suffrage.

2. That, among those entitled by the constitution to exercise the elective franchise, there should be entire equality of suffrage; so that, in all elections, the suffrage of one qualified voter should avail as much as that of another qualified voter, whatever may be the disparity of their respective fortunes.

3. That all individuals entitled to equal representation, should be equal throughout the State.

4. That as individual suffrage should be equal without respect to the disparity of individual fortune, so an equal number of qualified voters are entitled to equal representation, without regard to the disparity of their aggregate fortunes.

Saturday Oct. 24th.—The Convention met according to adjournment and was opened with prayer.

Mr. Madison, Chairman of the committee on the Legislative department of Government, presented the following REPORT.

1. Resolved, That in apportionment of representation in the House of Delegates, regard should be had to the white population exclusively.

2. That a census of the population of the State, for the purpose of apportioning the representation, should be taken in the year 1831, the year 1845, and thereafter at least, once in every twenty years.

3. That the right of suffrage shall continue to be exercised by all who now enjoy it under the existing constitution; Provided, That no person shall vote by virtue of his freehold only, unless the same shall be assessed to the value of at least \$— for the payment of taxes, if such assessment be required by law.

And shall be extended, 1st to every freeman therein, above the age of twenty one years, who owns, and has possessed for six months; or who has acquired by marriage, descent or devise, a freehold estate, assessed to the value of not less than \$— for the payment of taxes, if such assessment shall be required by law; 2d, or who shall own a vested estate in fee, in remainder, or reversion, in land, the assessed value of which shall be \$— dollars; 3d, or who shall own and have possessed a leasehold estate with the evidence of title recorded, of a term originally not less than five years and one of which shall be unexpired, of the annual value, or rent, of \$— dollars; 4th, or who for twelve months next preceding, has been a housekeeper and head of a family within the county, city, borough or election district where he may offer to vote, and who shall have been assessed with a part of the revenue of the commonwealth within the preceding year, and actually paid the same. Provided, nevertheless, that the right of suffrage shall not be exercised by any person of unsound mind, or who shall be a pauper, or a non-commissioned officer, soldier, sailor or marine in the service of the U. States, nor by any person convicted of any infamous offence nor by citizens born without the commonwealth, unless they shall have resided therein for five years immediately preceding the election at which they shall offer to vote, and two years preceding the said election, in the county, city, borough or election district, where they shall offer to vote, [the mode of proving such previous residence, when disputed, to be prescribed by law] and shall possess, moreover, some one or more of the qualifications above enumerated.

4. That the number of members in the Senate of this State ought to be neither increased nor diminished, nor the classification of its members changed.

5. That the number of members in the House of Delegates, ought to be reduced, so that the same be not less than one hundred and twenty, nor more than one hundred and fifty.

6. That no person ought to be elected a member of the Senate of this state, who is not at least thirty years of age.

7. That no person ought to be elected a member of the House of Delegates of this State who is not, at least twenty five years of age.

8. That it ought to be provided, that in all elections, of members of either branch of the General Assembly, and in the election of all officers which may be required to be made by the two Houses of Assembly, jointly, or in either separately, with the exception of the appointment of their own officers, the votes should be given openly, or *viva voce* , and not by ballot.

9. That no man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever; nor shall be enforced, restrained, molested, or burthened in his body or goods, nor shall otherwise suffer on account of his religious principles or belief; but that all men shall be free to profess and by argument to maintain their opinions in matters of religion and that the same shall in no wise diminish, enlarge, or affect their civil capacities.

That the Legislature shall have no power to prescribe any religious test, whatever, nor to establish by law any ordination or preference between different sects or denominations, over others; nor pass any law requiring or authorizing any religious society, or the people of any district within the Commonwealth, for the erection or repair of any house for public worship, or the support of any church or ministry, but that it be left free to every person to select whom he pleases for his religious instructor, and to make for his support, such private contract as he pleases: Provided however, that the foregoing clauses shall not be so construed, as to permit any minister of the gospel, or priest of any denomination, to be eligible to either House of the General Assembly.

10. That no bill of attainder, or *ex post facto* law, or law impairing the obligation of contracts, ought to be passed.

11. That private property ought not to be taken for public uses without just compensation.

12. That the members of the Legislature shall receive for their services, a compensation, to be ascertained by law, and paid out of the public treasury; but no law increasing the compensation of members of the Legislature shall take effect until the end of the next annual session after the said law may have been enacted.

13. That no Senator or Delegate shall, during the term for which he shall have been elected, be appointed to any civil office of profit under this State, which shall have been created, or the emoluments of which shall have been increased during such term, except such offices as may be filled by elections by the people.

On Mr. Madison's motion, the preceding report was ordered to be laid on the table and printed.

Sunday, October 26.—The Convention met at 11 o'clock, and was opened with prayer.

On Mr. Leigh's motion, the Convention resolved itself into a committee of the whole—and the President named Mr. P. P. Barbour, Chairman of the committee, who, on motion, took the chair.

On Mr. Daddridge's motion, the Report from the committee on the Bill of Rights, &c. was taken up, declaring that no alteration be made in the Bill of Rights; and it was adopted without debate or opposition.

Mr. Powell then inquired, if any propositions could be offered as an addition to the Bill of Rights such as the resolution submitted a few days ago by the gentleman from Norfolk, [Mr. Taylor.]

The Chair pronounced it to be out of order.

After some conversation between Messrs Daddridge, Johnson and Taylor, Mr. Daddridge moved to take up the report from the Legislative committee, which was agreed to. But on the suggestion of Mr. Powell, the committee re-considered the question of taking up the Legislative report—and laying it on the table—which was carried in the affirmative. And then on motion, the question of reconsidering the report of the committee on the Bill of Rights, was carried in the affirmative. Whereupon the Bill of Rights was itself read, first by the clerk, and then by the chairman—when Mr. Taylor, moved the resolutions he had previously submitted on Friday last.

Mr. Johnson moved to lay the resolutions on the table—and not discuss them till the Report of the Legislative committee had been acted on—which motion was carried in the affirmative.

The question was then put, on taking up the Report from the Legislative committee, and carried.

The Report was then read.

Mr. Green moved to amend the 1st resolution, by striking therefrom the word 'exclusively,' and inserting 'taxation combined.'

The resolution, as amended, reads as follows

New and Desirable!

KYLES & MEENAN,
By now receiving their full supply of
Dry Goods,
Hardware,
Groceries, &c. &c.
all of which will be offered at very reduced prices, for cash or on credit.
Salisbury, Oct. 30th, 1829. 3193

DANIEL H. CRESS,

HAS just received, and opened at his Store in Salisbury, a large and handsome assortment of
Spring and Summer GOODS;
Also, Groceries, Hardware, Cutlery, Plated Ware, Hats, and Hatters' Trimmings, Crockery, a good assortment of Bolting Cloths, Shoes, Bonnets, and every article usually asked for in stores.
His stock of goods has been purchased entirely for cash, and he is determined to sell them as low as can be had in the place, for cash, or to practical business men on a short credit. The public are respectfully invited to call, examine, and judge for themselves.
Salisbury, June 24, 1829. 70

New Goods, FRESH, FASHIONABLE, AND CHEAPER THAN EVER!

ARE now opening at the subscriber's Store in Salisbury, consisting of
DRY GOODS
of almost every description, suited to all seasons of the year. Also,
GROCERIES,
Hardware and Cutlery,
extensive in variety and amount, selected by himself with care, and bought for cash on the best terms, in Philadelphia and New York. The public are assured they will find a large and full supply, and lower for cash than usual, or otherwise on accommodating terms. They are respectfully invited to call, see fashions, examine qualities, hear prices and judge for themselves.
JOHN MURPHY.
J. M. respectfully begs to return his unfeigned thanks for the very liberal and distinguished patronage he has been so highly honoured with by a discerning public, and hopes, by a diligent attention, to merit a continuance of the same.
Salisbury, Sept. 28, 1829. 3m198

CHEAP NEW GOODS.

GEORGE W. BROWN
Is now receiving from New York and Philadelphia, a choice and handsome assortment of
DRY GOODS,
Hardware, Crockery,
Paints, Dye Stuffs,
Boots, Shoes,
Groceries, &c. ;
which were bought at reduced prices, and will be sold at a small profit, for cash, or on time to punctual dealers. Among the Groceries, are first quality
Tenerif Wine, Old Muscatell ditto.
Port ditto, Malaga ditto, Genuine Old Holland Gin, old Cognac Brandy, Jamaica and New England Rum; together with every article usually found in a Store in this section of country.
Persons wishing to purchase, will please call, and examine the above Goods.
Salisbury, Sept. 28th, 1829. 6m11

Cowan & Reeves

HAVE just received, at their Store, Wood Grove, Rowan County, 13 miles west of Salisbury, a good and fresh supply of
GROCERIES.
They also have on hand, a good assortment of fashionable Fall and Winter
DRY GOODS,
suitable for both Gentlemen and Ladies, purchased in New-York and Philadelphia; consisting of
Blue, black, brown, steel-mixed and olive Broad Cloths
Cambrics, Casimires and Sattinets
White and Red Flannels
Point and Rose Blankets
Cambrics and Plaids
Canton Crapes and Silks
Bombazettes, Bombazines and Circassians
Casimere Shawls and Points;
together with every other article usually found in a Store in this section of country.
All of which they are determined to sell as low as any other person whatever, engaged in the same line of business, for Cash, Cotton, or on a credit to punctual dealers.
The public are respectfully invited to call, examine, and judge for themselves. C & R.
October 31st, 1829. 3m198