

Monroe the late President of the United States. Mr. Mervin detailed the history of the claim; explained the grounds upon which it was founded; dwelt at great length on the meritorious services of the claimant; and concluded with an eloquent appeal to the sympathies of the House, in behalf of the distinguished gentleman for whose relief the people of Albemarle county, in Virginia, and those of the city of New York, had petitioned the House. Mr. Cambreleng followed on the same side, in a strain equally eloquent. The bill was opposed with great force and spirit by Mr. Chilton, of Ky., and Mr. Whittlesey, of Ohio.

CAPITONS OF THE LAWS.
Enacted by the General Assembly of North Carolina at its session in 1834-35.

PUBLIC ACTS.

- 1. An act to extend the provisions of the Act of 1822, granting further time to perfect titles to land in this State. [Extends the provisions of the act of 1822 to the year 1835.]
- 2. Amending the act of 1783, chapter 8, sec. 20, prescribing the mode in which apprentice bonds shall be taken. [Provides that such bonds shall be made payable to the Governor and his successors in office.]
- 3. Concerning the distribution of the public arms to the police authorities, and to provide in case of invasion or insurrection. [Provides that so many stand of arms shall be deposited at the several places therein mentioned; and that the Adjutant-General, by and with the consent of the Governor, may grant to the police authorities of any county 65 stand of arms, giving bond with sufficient security, if required, for the safe keeping of the same.]
- 4. Explaining and amending the act of 1822, providing a revenue for the payment of the civil list and contingent charges of government, so far as respects artificial curiosities. [Useful inventions not to be considered artificial curiosities in the provisions of the above recited act.]
- 5. For the more perfect administration of justice in capital cases. [Provides that Judges shall have power, when the trial of a capital case has been commenced, to adjourn court from day to day until the finding of the jury, and rendering the judgment of the law thereon.]
- 6. Concerning the summoning of jurors. [Provides that it shall not be lawful for sheriffs to summon freeholders of any other than their own counties as jurors or witnesses, except in capital cases.]
- 7. Repealing the 2d section of the act of 1822, to limit the term of office of certain officers therein named, and amending the provisions of said act. [Provides that any officer of the County Court, except the sheriff, may be removed from office by a majority of the acting justices, three months notice being previously given in writing of such intended removal; or any clerk and master, equally or clerk of the supreme court may be removed by their respective courts, after having three months notice of such intended removal.]
- 8. To prevent all persons from teaching slaves to read or write, the use of figures excepted. [Provides that any person who shall teach any slave to read or write, or give or sell to them any books or pamphlets, shall, if a white person, be fined not less than 100, nor more than 200 dollars or imprisoned; if a free person of color, be fined, imprisoned or whipped, at the discretion of the court, not exceeding 39, nor less than 20 lashes; and if a slave, receive 39 lashes.]
- 9. Amending the act of 1829, to provide for the division of negroes and other chattel property held in common. [Provides that when the court shall order a sale of the property, the clerk of the court in which such petition is filed, or some other person appointed for the purpose, shall, after giving thirty days notice, sell such property and execute a title for the same.]
- 10. Amending the act of 1829, to vest the right of electing sheriffs in the several counties within this State in the free white men thereof. [Provides that the sheriffs elect shall give bonds under the rules prescribed by the above recited act, on or before 4 o'clock, P. M. of the second day of the court; that in case there should not be a majority of the acting justices present on the second day, then the sheriff shall give such bonds on or before 2 o'clock, P. M. of the third day; that no former sheriff shall be permitted to give such bonds or re-enter upon the duties of his office until he shows such court that he has paid over all taxes collected by him; and that no person shall be eligible to the office of sheriff who shall not hold the freehold required six months next preceding such election.]
- 11. Exempting Bibles and other books therein mentioned from execution. [Exempts from execution one Bible, Testament, Hymn Book, &c. in each family.]
- 12. To prevent the burning of court houses and other public buildings. [Makes the burning of the State House, any of the public offices of the State, any court house, jail, arsenal, clerk's office or register's office, felony without the bene-

- fit of clergy; and any person attempting to burn such public buildings, shall be whipped, put in the pillory, fined and imprisoned, at the discretion of the court.]
- 13. Repealing the 2d section of the act of 1806, to revise the militia laws of this State. [Provides that any person opposed from conscientious scruples to bear arms, shall be exempt from performing militia duty, except in time of insurrection or invasion, upon paying a tax of two dollars and fifty cents annually in lieu of such services. Such tax to be collected by the sheriffs and appropriated to the Literary fund.]
- 14. Directing the manner in which jurors may be summoned in certain cases. [Authorizes the Judges of the Superior Courts of Law to issue a special venire during term time, returnable to start.]
- 15. Enacting, with sundry alterations and additions, the act of Virginia incorporating the Petersburg Rail Road Company.
- 16. For the distribution of "A System of Infantry Instruction for the militia Infantry" and "A System of Exercise and Instruction of Field Artillery, including manoeuvres for Light or Horse Artillery," among the several militia officers of this State.
- 17. Declaring that the repeal of a statute shall not affect suits brought before the repeal.
- 18. For the relief of the University of North Carolina. [Grants a loan of 25,000 dollars to the University, which loan when made, and bond executed by the Trustees, shall create a lien upon the property, both real and personal, belonging to the institution.]
- 19. Amending the act of 1828, entitled an act to amend an act, passed in the year 1800, entitled an act concerning wrecks. [Divides the sea coast in Hyde county in to three districts, with a wreck master for each.]
- 20. Amending the act of 1826, concerning the entry of land in this State. [Authorizes entry makers to receive entries of marsh or swamp land when the quantity in any one marsh or swamp does not exceed 2,000 acres. This act not to extend to any lands which have been surveyed by engineers of the State with a view to the draining and reclaiming the same.]
- 21. To prohibit the circulation in this State, after the time therein mentioned, of Bank notes under five dollars, issued by the Banks of other States. [Prohibits the circulation after the 4th of July, 1832, of such notes, under the penalty of forfeiting the nominal amount thereof, and incurring the costs of suit.]
- 22. Authorizing the appointment of commissioners to take the acknowledgment and proof of deeds, and instruments under seal, and depositions. [Authorizes the Governor to appoint one or more commissioners in each of any of the States or Territories, to take such acknowledgment, &c.]
- 23. Fixing the fees of the clerks of the County and Superior Courts, and Sheriff's fees.
- 24. Amending the act of 1819, giving to the Courts of Pleas and Quarter Sessions power to regulate separate elections. [Provides that the county courts shall have power to fix and alter the places of holding separate elections.]
- 25. To prevent the circulation of seditious publications and for other purposes. [Provides that any person, who shall knowingly bring into the State with an intent to circulate, or knowingly circulate or publish such publications, or endeavor to excite insurrection, shall, for the first offence, be imprisoned not less than one year, be put in the pillory, and whipped, at the discretion of the courts; and for the second offence shall suffer death without benefit of clergy.]
- 26. To prevent the gaming of slaves and to prevent free persons from gaming with them or suffering them to game in their houses. [Provides that any slave or free person of color violating this act, shall be whipped; if a white person, be fined and imprisoned.]
- 27. Amending the act of 1826, to prohibit the trading with slaves except in the manner prescribed. [Provides for the striking out of the word "and" immediately following the words "white oak heading," in the first section of said act, and inserting the word "or."]
- 28. To prohibit free persons of color from peddling and hawking out of the limits of the county in which they respectively reside. [Prohibits such peddling without an annual license from the county court, under a penalty of \$50; and further, shall be liable to indictment, and on conviction be fined and imprisoned at the discretion of the court.]
- 29. For the regulation of Patrol. [Makes it the duty of the county court in each county, should they deem it necessary, to appoint a patrol committee in each captain's district, whose duty it shall be to employ a patrol. The said court to lay a tax of not more than ten cents on each taxable slave to defray the expenses of the patrol.]
- 30. Extending the jurisdiction of the Supreme Court. [Provides that the said court shall have original cognizance of all cases where it may be necessary on the part of the State to institute proceed-

- ings to vacate and repeal any letters patent for fraud, false suggestion or other cause; and shall have power to rescind such grants or letters patent should it appear that they were obtained by fraud or false suggestion.]
- 31. Amending the act of 1818, to authorize the county courts in this State to direct the sheriff to sell any slave that may be taken up and confined in any jail as a runaway after a certain length of imprisonment and public notice. [Provides that if the owner be unknown, or the slave die, or be removed from the jail by regular process before the time of sale, the county to pay the expenses of imprisonment.]
- 32. More effectually to prevent intermarriages between free negroes or free persons of colour and white persons and slaves, and for other purposes. [Provides that marriages between free negroes or free persons of colour and white persons shall be null and void; and clerks of courts issuing licenses, and clergymen and justices marrying such persons, be fined and imprisoned.]
- 33. More effectually to subject the lands of a deceased debtor to the payment of his or her debts. [Makes the land of such debtors liable for their debts for two years after the probate of their last will, or intestacy has granted.]
- 34. To limit the time within which parties interested in a claim requiring redemption in personal property, heretofore mortgaged. [Makes the time for the mortgagee to perform the conditions in the mortgage for two years from the specified time, but all claim in equity to personal property so mortgaged.]
- 35. Authorizing the Governor to dismiss field officers in certain cases, and for other purposes. [Authorizes the Governor to strike from the list any colonial who may fail to make returns, or refuse or neglect to exercise his regiment as ordered, so to do by the reviewing officer; and directs the Adjutant-General to bring suit against any general officer who shall resign before he reviews his command.]
- 36. Amending the act of 1826, to prevent free persons of colour from migrating into this State. [Provides that if any free person of colour migrates to another State, and is absent 90 days, he shall not return, unless delayed by sickness or other unavoidable occurrence.]
- 37. Amending the several laws regulating quarantine.
- 38. Amending the act of 1821 providing further punishment for harboring or maintaining runaway slaves. [Imposes a penalty of 100 dollars on any person who shall entice any slave from his or her owner.]
- 39. To preserve the public buildings in Raleigh. [Provides for the covering of the State House and Secretary of State's office with copper, tin or zinc.]
- 40. Explaining and amending the act of 1823, relative to insolvent debtors. [Provides that where an issue is made up, and the jury find fraud or concealment, and the defendant is committed to jail, he may avail himself, by making a full disclosure upon oath, of the benefit of the act of 1822.]

State Legislature.

SENATE
Wednesday, Dec. 29.
The bill to vest the right of electing Clerks of the Superior and County Courts in the people, being read the second time. Mr. Borden moved for its indefinite postponement, which was negatived 34 to 27 and the bill was ordered to a third reading.

The bill to prohibit the circulation of Notes of foreign Banks, under \$5, being under consideration, various amendments were offered and some of them agreed to. Mr. Martin moved to postpone the further consideration of the bill to the 3d Monday in November next, which was negatived 33 to 26, and the bill passed its 3d reading 34 to 26 and was sent to the House for concurrence.

Thursday, Dec. 30.
Mr. McFarland submitted the following Resolution, which on motion of Mr. McKay, was laid on the table:
Resolved, That the Public Treasury be authorized to use any part of the Literary Fund, should it be necessary, for the payment of the contingent charges of Government and the redemption of Treasury Notes for the ensuing year, and that he refund said amount so used to the Literary fund, and report the same in his annual report.

Mr. Sneed, from the committee of Finance, appointed to examine into and adjust the accounts of William Robards, Public Treasurer, made a detailed report, in which he states that his accounts have been fully and fairly settled, and recommends that they be balanced on the books of the Comptroller.

Friday, Dec. 31.
Mr. Sneed, from the committee of Finance, to whom was referred the memorial of James Grant, Comptroller of the Treasury, and also certain resolutions in relation to affording additional assistance to that officer and the public Treasurer, reported a bill to enable the Public Treasurer and Comptroller to perform the

duties required of them. Read the first time.

The bill for the relief of the University of North Carolina, being read the second time, Mr. Wilson moved an amendment, which was rejected, providing that no loan should be made to the University, until the Trustees thereof convey to the literary fund, the stock owned by them in the Newbern Bank, as security for the repayment of the loan. Mr. McKay moved to add an additional section, which was carried 35 to 26, providing that said loan should not be considered as made, until the Trustees signify in writing, that the Legislature may, at any subsequent session, modify the charter of said institution and assume its management and the possession and disposition of all its property, real and personal. And the bill as amended, was read the second time and passed 40 to 19.

EXERCISE SESSIONS.
The engrossed bill to establish a Superior Court of Law and Equity, in Macon county, was read the third time and ordered to be enrolled.

The bill for the relief of the University was read the third time. Mr. Lindsay moved for its indefinite postponement, which was negatived 43 to 8 and the bill passed its third reading.

Saturday, Jan. 1.
M. M. Farled submitted a Resolution to adjourn on the 5th of January, and a considerable debate ensued on this proposition, but it was finally laid upon the table. The bill to limit the appointment of Judges of the Superior Courts to four years, was read the second time and rejected 44 to 17.

The bill to vest the right of electing Clerks of the County and Superior Courts in the people was read the third time. Mr. W. moved to amend it, by adding County Taster, County Solicitor, Register, Surveyors, Constables and Entry takers. Mr. Williams, of Martin, moved for its indefinite postponement, which motion prevailed 34 to 25.

EXERCISE SESSIONS.
The resolutions submitted in the other House by Mr. Bynum, and there adapted, was received for concurrence. After being read Mr. Sherard moved that they be laid on the table, which was carried Ayes 48.—Noes 10.

Those who voted in the affirmative, were:
Ayes.—Messrs. Askew, Barnes, Beasley, Blackwood, Bowler, Caldwell, (of Iredell) Cowper, Gump, Davenport, Dick, Dickson, Doss, Gavin, Godger, Guinn, Hare, Hill, Harris (Hawkins), Hinton, (of Beaufort) Hinton, (of Wake) Hoke, Howell, Jennings, Jones, Kerr, Lindsay, McDaniel, McKay, McEntire, McNeil, Murchison, Perkins, Ray, Selby, Sherard, Williams (of Martin).—43.

Those who voted in the negative, were:
Noes.—Messrs. Boddie, Hill, Montgomery, Mosely, Rynsay, Spaight, Vanhook, Ward, Williams, (of Franklin) Wilson.—19.

The bill to exempt from execution, a certain portion of the land of the citizens of North Carolina, was read the second time. Mr. Barnes moved for its indefinite postponement which was negatived 37 to 23. The bill then passed its second reading.

Monday, Jan. 2.
The whole sitting was occupied in the consideration of the engrossed bill to exempt from execution a certain portion of the land of the Citizens of North Carolina after having been read the third time, and sundry amendments being offered, Mr. Barnes moved that the bill, with several amendments, be postponed until the 3d Monday of November next, which was agreed to by the casting vote of the Speaker there being 39 Ys and 28 Ns.

Those who voted in the affirmative, were:
Ys.—Messrs. Barnes, Brower, Camp, Dick, Hare, Hinton, (of Wake) Hoke, Howell, Jennings, Kerr, McDaniel, McFarland, Marshall, Matthews, Meares, Melchior, Montgomery, Moseley, Move, Perkins, Spaight, Selby, Sherard, Simmons, Skinner, Vanhook, Walton, and Wilder.

Those who voted in the negative, were:
Nays.—Messrs. Askew, Beasley, Blackwood, Boddie, Caldwell, (of Iredell) Cowper, Davenport, Dickinson, Dobson, Gavin, Guin, Hare, Hill, Harris, Hawkins, Hill, Hinton, (of Beaufort) Lindsay, McKay, McEntire, McNeil, Murchison, Ramsey, Ray, Sneed, Ward, Welch, Williams (of Franklin) and Wilson.

his wise patriotic and independent administration of the General Government, entitled him to the confidence of his country, and shew him eminently worthy of being re-elected President of the United States.

Resolved, That these resolutions be signed by the Speaker of the Senate and the Speaker of the House of Commons, and be transmitted by the Governor, one copy thereof to the President of the United States and another to our Senators in Congress, to be laid before the Congress of the United States at its present session.

Thursday, Dec. 30.
The House took up for consideration the Resolutions of Mr. Bynum in regard to the usurpations of the General Government, the Committee of the Whole having been discharged from the further consideration thereof. Mr. Worth moved that said Resolutions be postponed indefinitely. The question thereon, was determined in the negative, 82 to 44. Mr. J. A. Hill, moved to amend the second paragraph of the Preamble, by striking out the words "such as the making of Roads and the cutting of Canals," and insert the words "of a local character and for local purposes." The question thereon, was decided in the negative 66 to 54. Mr. Mebane moved to add after the words "individual states," the words "more specifically enumerated in the President's Veto Message." The motion was rejected and after undergoing some verbal amendments, the said Resolutions were adopted, *Yeas 73.—Nays 47.* Those who voted in the affirmative were:
Ys.—Messrs. E. Alexander, Arrington, Bateman, Bell, Blair, Bogie, Bragg, Branch, Brooks, Bryan, Bowler, Bryan, Burgin, Bush, Byrnes, Galloway, Carter, Clark, Clemon, Cooper, Cox, Dobson, Dannel, Edmonston, Elliott, Flemming, Flowers, Fox, Garey, Glenn, Gorman, Hale, Hilliard, Houlder, Hooper, W. Horton, J. Horton, Iron, Kendall, Larkin, Lasswell, Little, Long, Lorentz, Melchior, Moore, Julian, McAfee, Nicholson, O'Brien, Rhodes, Sawyer, Singleton, Smith, Spaight, Spurlin, Stockard, Swanner, Tatham, Wadsworth, Watts, Weaver, White, Wheeler, S. Wheeler, J. Whiteaker, Whitley, Wilson, Wiseman, A. Wooten, Wyche, Ziglar.—73.

Those who voted in the negative were:
Nays.—Messrs. W. J. Alexander, Allison, Beaufort, Barringer, Buie, Chesnut, Dowd, Dumas, Duster, Gaston, Graze, Grady, Harper, Henry, J. A. Hill, Thomas Hill, Leonard, Lilly, Lloyd, Mendall, Marshall, Monk, Murphy, McGhee, McMillan, McNeil, Orr, Pearson, Phillips, Folk, Furell, Hoad, Rowe, Sasser, Shipp, Six, Simmons, Skinner, Sloan, Stephens, Ugle, White, Winston, C. Wooten, Worth Wright and Bernard.—47.

Friday, Dec. 31.
On motion of Mr. Henry, the House resolved itself into a committee of the whole, Mr. Wyche, in the Chair, upon the following resolutions heretofore submitted by Mr. Worth, viz:
Resolved, by the General Assembly of North Carolina, that although the Tariff Laws as they now exist, are unwise, unequal in their operation and oppressive to the Southern States, yet this Legislature cannot concur with the extreme violent and dangerous remedy to which the South Carolina doctrine of Nullification manifestly tend.

Resolved, that in the sentiment, "this Union must be preserved," we recognize principles which challenge the approbation of every Republican and which promise to save the Republic from disunion and anarchy.

Mr. Fisher moved to amend the resolution by inserting the words "in the opinion of this Legislature" after the word *are*; and Mr. Barringer moved to strike out all the said resolution after the word *Legislature*, and insert, "does not recognize as constitutional, the right of an individual State of this Union, to nullify a law of the United States."

On these propositions to amend and on the general merits of the subject, an animated and protracted debate ensued.—These Resolutions and amendments were advocated by Messrs. Barringer, Gaston, O'Brien, Henry, J. A. Hill, Worth and Fisher and were opposed by Messrs. Bynum, Mebane, and Sawyer.—The amendments were finally adopted and the Resolutions as amended, were reported to the House, and read as follow:
Resolved, by the General Assembly of North Carolina, that although the Tariff Laws as they now exist, are in the opinion of this Legislature, unwise, unequal in their operation and oppressive to the Southern States, yet this Legislature does not recognize as constitutional, the right of an individual State of this Union to nullify a law of the United States.

The second Resolution was reported in its original shape.

Mr. Blair moved that the Resolution be postponed indefinitely, and supported his motion in a brief but spirited speech. The motion was negatived 88 to 26.

Mr. Bynum moved to strike out of the first Resolution, all after the words *Southern States* and insert "yet this Legislature would deprecate any doctrine, the tendency of which would have the effect to dissolve the Union, of these States." On this proposition some debate arose, in which Mr. Bynum supported and Messrs. Edmonston & Cooper opposed it. It was decided in the negative, 99 to 37.

Mr. Spaight moved to amend the first Resolution, by striking out the whole