

Thursday Dec. 8.

On motion of Mr. Seawell, the Senate proceeded to consider the bill making an appropriation and appointing Commissioners for rebuilding the Capitol, in the City of Raleigh. The bill having been read the second time, Mr. Seawell moved to fill the blank with \$30,000. Mr. Toomer moved to amend the motion by substituting the sum of \$100,000. The question being first taken upon filling the blank with \$30,000, it was determined in the affirmative. [A long debate then ensued between Messrs. Seawell and Toomer, on the propriety of making the appropriation at this time, and during the discussion, the relative claims of Raleigh and Fayetteville, to the location of the Seat of Government, were spoken of and compared. This debate was taken down in short hand by one of the Editors of the Register, and would have appeared this week, but for the length of the President's Message; it will be given to our readers next week.] After the conclusion of Mr. Toomer's speech, Mr. Martin rose and made a few remarks, concluding with a motion to postpone the further consideration of the bill to the 31 Monday of November next. This proposition was decided in the affirmative as follows:

Yeas.—Messrs. Allen, Britain, Caldwell, Campbell, Dick, Dobson, Elliott Gilmore, Guinn, Hall, Hill, Hoke, Hoover, Howell, Kerr, Kendall, McIntyre, McFarland, Marshall of Anson, Martin of Rockingham, Martin of Wilkes, Massey, Montgomery of Orange, Melchor, Parham, Mr. Rensch, Sherrard, Simmons, Toomer, Tyson and Underwood—32.

Nays.—Messrs. Askew, Bateman, Bell, Boddie, Brownrigg, Cooper of Martin, Cooper of Gates, Davenport, Dishong, Hawkins, Hayley, Lindley, M'Daniel, Marshall of Carteret, Matthews, Miller, Montgomery of Hertford, Mosely, Moye of Greene, Moye, of Pitt, Pool, Rowland, Spaight, Seawell, Skinner, Selby, Sneed, Thompson, Vanhook, Williams and Wilson—31.

So the bill was postponed.

Friday, Dec. 9.

On motion of Mr. Mosely, Resolved, That the Committee on the Judiciary be instructed to enquire whether by the existing law of the State, a Slave can be indicted for the crime of Perjury.

The engrossed Bills—to amend the 10th section of the act of Assembly, chapter 297, prescribing the mode of surveying and selling the lands lately acquired by treaty from the Cherokee Indians; and to alter the time of holding two of the terms of the Court of Pleas and Quarter Sessions for the county of Macon, and for the better regulation of the same, were read the third time and ordered to be enrolled.

The Senate proceeded to consider the Bill to erect out of a portion of the counties of Burke and Buncombe, a separate and distinct county by the name of Yancey. After a short debate, Mr. Allen, moved that the Bill be laid upon the table, which motion was negatived 35 to 28.—The bill was then read the third time and put upon its passage, when it was rejected by a vote of 34 to 29, as follows:

For its passage. Messrs. Allen, Britain, Caldwell, Campbell, Dick, Dobson, Elliott, Gilmore, Guinn, Hall, Hill, Hoke, Hoover, Kerr, Kendall, McIntire, McFarland, Marshall (of Anson), Martin (of Rockingham), Martin (of Wilkes), Massey, Melchor, Montgomery (of Orange), Parham, Ray, Rensch, Toomer, Tyson Vanhook,—29.

Against it.—Messrs. Askew, Bateman, Bell, Boddie, Brownrigg, Cooper (of Martin), Cooper (of Gates), Davenport, Dishong, Hawkins, Hayley, Howell, Lindsay, M'Daniel, Marshall (of Carteret), Matthews, Miller, Montgomery (of Hertford), Mosely, Moye (of Greene), Moye (of Pitt), Pool, Rowland, Spaight, Seawell, Sherrard, Simmons, Skinner, Sneed, Thompson, Underwood, Williams, Wilson,—34.

Saturday Dec. 10.

Mr. Dishong presented the following Preamble and Resolutions:

WHEREAS, the good citizens of this State have long lamented her insufficiency to vie with her sister States in commercial transactions, her depth of water being too shallow for laden vessels to ascend the channels—her rivers are obstructed and their currents impetuous—the State extends a great distance to the west, our roads in some seasons of the year are almost impassable for laden carriages—in short, our expenses in getting produce to market far exceeds our profits—the wealth of every country most depend upon the profits of the commodities they export. It is therefore believed, that one of the first objects of every State should be to facilitate the conveyance of her produce to the exportable points, which is believed to be best done by the making of Railroads and cutting Canals from the exportable points to the most remote sections of the State, which will at once obviate the prominent defects in our commercial transactions, and

put us upon a level with other States—be it therefore.

Resolved, by the General Assembly of the State of North Carolina, and it is hereby resolved by the authority of the same, that a joint select committee be raised to enquire into the expediency of chartering a company in this State, to receive private subscriptions for the desirable object of making a railroad from Old Topsall Inlet, to some suitable point in the interior country and extending as nearly as practicable to the Blue Ridge; and that said committee be requested to report a plan to this House for carrying the above objects into effect.

Mr. Toomer moved to amend the resolution by adding the following, which was agreed to:

Be it further Resolved, that the said committee be instructed to enquire into the expediency of making a Railroad from some point on the Cape Fear River to some point on the Yadkin River; and that they also enquire whether it be expedient to incorporate a Company, the stock to be subscribed by individuals, to effect said object.

On motion by Mr. Williams, the resolutions were amended by adding the following:

Resolved, that the same Committee be instructed to enquire into the propriety and expediency of incorporating a Railroad Company, to be owned by individual stockholders, to commence at some point on the waters of the Cape-Fear River at or near Haywood in the county of Chatham, and running by Louisburg, so as to meet the Petersburg Railroad Company at the Roanoke River near Halifax, and that they report by bill or otherwise.

Monday, Dec. 12.

Mr. Askew, from the joint select Committee to whom was referred that part of the Treasurer's Report, relative to the repairs of the State House, and the bond of the Contractor, made a detailed report thereon, recommending the adoption of the following Resolution, viz:—

Resolved, That the Public Treasurer deliver to Thomas Bragg, the bond of \$4000 in which he was bound to cover the State House and the Office of Secretary of State with Zinc, and that the Commissioners pay him only for the work they have received.

Mr. Seawell moved that the Report and Resolutions be laid upon the table, which was not agreed to. Mr. Sneed moved to re-commit the Report, with instructions to the Committee to set forth the contract and to state minutely, all the circumstances tending to show in what manner the fire originated, which was not agreed to. On motion of Mr. Askew, the further consideration of the Report was postponed until to-morrow.

The Bill vesting the right of electing Clerks of the Superior and County Courts in the several counties, within the State, in the free white men thereof, was read the second time. Mr. Bell moved to amend it, by striking out "County Court Clerks," which was not agreed to. Mr. Martin moved to strike out "Superior Court Clerks," which was not agreed to. Mr. Williams moved to amend it, by including within its provisions, "Clerks and Masters in Equity, Constables and County Solicitors," which was not agreed to. The question then recurring on the passage of the Bill, the second time, it was decided in the negative, 32 to 21, as follows:—

For its passage. Messrs. Allen, Caldwell, Cooper of Martin, Cooper of Gates, Dick, Dishong, Dobson, Gilmore, Guinn, Hall, Hawkins, Hayley, Hoke, Kindall, Lindsay, M'Daniel, McIntire, McFarland, Marshall, of Anson, Marshall of Carteret, Martin of Rockingham, Montgomery of Orange, Massey, Parham, Pool, Rensch, Simmons, Skinner, Tyson, Underwood and Vanhook.

Against its passage. Messrs. Askew, Bateman, Brittain, Bell, Boddie, Brownrigg, Campbell, Davenport, Elliott, Hill, Hoover, Howell, Kerr, Martin, of Wilkes, Matthews, Melchor, Miller, Montgomery of Hertford, Mosely, Moye, of Greene, Moore of Pitt, Ray, Rowland, Spaight, Seawell, Selby, Sherrard, Sneed, Thompson, Toomer, Williams and Wilson.

Tuesday, Dec. 13.

The Senate again took up the Report of the Committee in relation to the bond given by Mr. Bragg, for covering the State House, and the Resolution being read the second time, Mr. Marshall, of Carteret, moved to strike out the whole and insert the following, viz:

WHEREAS, from the exhibit accompanying the Report, it fully appears that the Contractor in performing the work, used the greatest caution; vigilance and attention—that he executed it in the most superior style—that in a very short time he would have delivered it into the hands of the Commissioners, and that from all the evidence it appears that the catastrophe was the result of pure accident, or possibly the work of an incendiary: And whereas, the justice of the case should not be sacrificed to the mere technical consideration of the work not being delivered. Therefore,

Resolved, That the Treasurer be, and he is hereby authorized to pay to Thomas Bragg, the Contractor for covering the

State House, the amount for which he contracted to do the work in the same manner as if the same had been delivered to, and received by the Commissioners.

On motion of Mr. Hawkins, the resolution and substitute were laid upon the table. Mr. Seawell, from the Committee on the Judiciary, to whom a resolution on the subject was referred, reported a bill to authorize the Courts of Pleas and Quarter Sessions of the several counties in this State, to erect Poor Houses in their respective counties. Read the first time.

Wednesday, Dec. 14.

Mr. Sneed, from the committee of Finance, who so duty it is made by law to examine the Report of the Public Treasurer, the Statement of the Comptroller, &c. and in general, the state and condition of the finances of the State, made a detailed Report thereon, which was ordered to be printed. A Resolution was also adopted by the Senate and sent to the House for concurrence, proposing that said Report be printed and attached to the Acts of the present Legislature, when published.

Mr. Montgomery of Orange, made a detailed Report which was ordered to be printed, in relation to the amount of dividends and bonus declared by the Banks of this State, since 1810, the amount of specie reported to be in said Banks and the amount of notes in circulation; also, the amount of specie paid into the Banks on the original stock, designating the amount of dividend received by individuals and by the State, also, the amount of debts due the Banks, including the Branch Bank of the United States, and the amount of interest paid on said debts; also, the amount per centum made on the Specie paid into the Banks as stock, as far as the same can be ascertained.

The greater part of the day was spent in Committee of the whole, Mr. Mosely, in the Chair on the Bank Bill. Mr. Williams moved to strike out the first section, which produced considerable debate, in which Messrs. Martin and Dishong advocated the principles of the bill and Messrs. Williams and Allen opposed it. Before any question was taken, the committee rose, reported progress and obtained leave to sit again.

HOUSE OF COMMONS.

Thursday, Dec. 8.

Bills presented. By Mr. Daniel, to amend an act passed in 1830, to amend an act passed in 1829, to vest the right of electing Sheriffs in the several counties within this State, in the free white men thereof. (Makes it lawful for one third of the acting Justices, instead of a majority, to take from the Sheriffs' the prescribed bonds.) By Mr. Cansler, to repeal an act, passed in 1830, to amend an act altering the time of holding two of the Courts of Pleas and Quarter Sessions of Lincoln county. By Mr. Mebane, to amend an act passed in 1829, to enable the State Bank to wind up gradually, and to fix a uniform rate of collection.

These Bills were read the first time. Mr. Sawyer, from the committee on Education, to which was referred the Bill to extend to the Teacher and Scholars of all the Schools within the State, the same privileges which are enjoyed by the Officers and Students of the University &c. reported the same without amendment and recommended its rejection. The bill was read and ordered to be laid on the table.

Mr. Singleton presented to the House the report of the Adjutant General, which was ordered to be sent to the Senate and to be printed.

On motion of Mr. Burgin, Resolved, That the Committee of Finance be instructed to enquire into the expediency of extending the time for perfecting grants on entries made in 1829, until 1st January 1832.

On motion of Mr. Sumner, Resolved, That the Committee on the Judiciary be instructed to enquire whether the criminal laws of this State ought not to be amended so as to abolish the punishment of cutting off the ears.

On motion of Mr. Haywood, Resolved, That the Committee on the Judiciary be instructed to enquire into the propriety of amending and explaining the laws of this State, so as to authorize any party to a suit in Equity to appeal to the Supreme Court from the decision of the Judge in said Court upon the facts as well as the law, in any suit hereafter to be tried.

Resolved further, That the said Committee be instructed to enquire into the expediency of providing by law for the right to parties in suits in Equity, to file Bills of review in the Supreme Court, whenever the said suit shall be determined in the Court.

Resolved further, That the said Committee be instructed to enquire into the propriety of establishing by law certain rules for the government of the Supreme Court as to the times and manner of hearing and deciding the causes that are or may be depending before them.

The engrossed Bill to repeal part of an act passed in 1827, prescribing the manner in which lands should thereafter be advertised for sale for taxes, in the Counties of Anson and Surry; and the cu-

passed Resolution directing the arranging and filing of the papers belonging to the Officers of the General Assembly, were read the third time and ordered to be enrolled.

Friday, Dec. 9.

A Communication was received from His Excellency Governor Stokes covering a proposition from Mr. Ball Hughes, an artist of great eminence, to restore to its former beauty and grandeur the Statue of Washington, which as is known, was unfortunately greatly injured by the fire which consumed the Capitol. This letter from Mr. Hughes was sent to the Senate, and referred to a joint select Committee, consisting on the part of the House of C. of Messrs. Polk, Henry, Gaston, Courts and Deagg; and on the part of the Senate, of Messrs. Toomer, Dick, McIntyre, Skinner and Montgomery.

Accompanying the Communication of Mr. Hughes, were sundry letters of recommendation and certificates of his skill as a Statuary, from Mr. Livingston, Secretary of State, Mr. Van Buren, Col. Trumbull, the Mayor of New-York, Rev. Dr. Wainwright, &c.

The House, on motion adjourned over Saturday, to Monday, that certain alterations might be made in the Hall, which were determined on a few days since.

Monday, Dec. 12.

Mr. Henry from the Judiciary Committee, reported a bill, which had its first reading, to amend the law relative to malicious and unlawful maiming and wounding.

Mr. H. from the same Committee, to which a resolution was referred, directing them to enquire into the expediency of so amending the law relative to the settlement of the Estates of deceased persons, as to authorize the Sheriffs in their respective counties, where there is no Executor or Administrator, in a limited time, to enter upon and perform the duties of Executor or Administrator so far as may be necessary to pay the debts of the deceased, reported that no amendment of the kind is necessary, which report was concurred in.

On motion of Mr. Laspeyre, the name of Richard Dobbs, Spaight, of Craven, was added to the nomination for Governor.

Mr. Barringer, from the select Committee to which was referred the Bill to incorporate the Mecklenburg Gold Mining Company, made a detailed Report in relation thereto, recommending the passage of the Bill. The Bill passed its second reading and the Report was ordered to be printed.

Mr. B. from the select Committee to which was referred the Resolution in relation to the certificate issued to Judge Strange, for holding Anson Court, reported that, in the opinion of the Committee, said certificate was properly issued, and that Judge Strange was legally entitled to it.—Laid on the table.

The bill to re-enact a part of the first section of an act passed in 1787, chap. 11, for hiring out persons convicted on indictment or presentment, not being able or willing to pay the fees of office and Jailors' fees, was read the second time. Considerable debate occurred on it, and sundry amendments were proposed and adopted. It finally passed its third reading and was sent to the Senate for concurrence. As passed, it provides, that where free negroes are convicted of any offence and are unable or refuse to pay the fine imposed on them by the Court, they may be hired out for a term of years, not exceeding five, to the highest bidder—the person hiring, to feed and clothe them well during said term of servitude. The Bill passed by a vote of 83 to 37, as follows:—

For its passage. Messrs. Bell, Boddie, Bragg, Brevard, Brooks, Burgin, Calloway, Chamblee, Colman, Courts, Cox, Crump, Davidson, Davis, Dozier, Paddie, Flowers, Freeman, Garland, Gillespie, Glass, Grandy, Littleton A. Gwyn, Hartt, Hearty, Henry, Hill, Hogan, Houlder, Howard, Hunt, Jackson, John H. Jones, John F. Jones, Judkins, Larkins, Lank, Little, Mock, Mebane, Monk, Moody, Moore, Morris, M'Cain, M'Cleese, M'Ghee, M'Lauris, Nicholson, Outlaw, Pearson, Peoples, Pittman, Polk, Powell, Rand, Riddick, Robertson, Sanders, Sasser, Seawell, Settle, Sherwood, Simmons, Singleton, Joseph H. Skinner, John M. Skinner, Sloan, Spruill, Stallings, Stephens, Thomas, Lewis, Thompson, John B. Thompson, George A. Thompson, Townsend, Wadsworth, Weaver, Wilson, Witchler, Allen W. Wooten, Council Wooten, and James Wyche

Against its passage. Messrs. Abernathy, Allison, Barringer, Beckwith, Bogle, Bonner, Cansler, Cherry, Clayton, Cunningham, Daniel, Doherty, Edmenson, Emmitt, Gause, Glenn, Gaston, Harper, Haywood, Long, Lyon, Miller, M'Lean, M'Millan, M'Queen, Nelson, Petty, Sawyer, Smith, Speight, Swanner, Tatham, Toole, Webb, Whitaker, Winston and Worth.

Tuesday, Dec. 13.

Petition presented. By Mr. Hartt, of Sarril Knox, of Mecklenburg, for a Pension. Bills presented. By Mr. Clayton, to erect out of a portion of the counties of

Burke and Buncombe, a separate and distinct county by the name of Yancey. By Mr. Ziegler, directing the manner in which Constables shall hereafter be elected in the county of Stokes.

These bills passed their first reading, and the last named was referred to the Judiciary committee.

Mr. Polk, from the committee of propositions and grievances, reported a Bill to prevent the falling of timber in or obstructing the channel of Hunting Creek in the counties of Lowan and Iredell, read the first time.

Wednesday, Dec. 14.

Bills presented. By Mr. Gaston, to incorporate the North Carolina central Rail-Road company. [Provides for the forming of a company to receive subscriptions, in shares of \$100 each, to constitute a joint Capital Stock, for the purpose of effecting a communication by a Rail-road, or by a Rail-road and Canal from some point in the immediate neighborhood of the waters of Beaufort Harbor, through Newbern, thence through or near Raleigh to a point as far Westwardly as may be practicable or expedient.] By Mr. Pearson, to incorporate the Cape Fear and Yadkin Rail-road company. [Provides for a company to receive subscriptions &c. to effect a communication between Fayetteville and some convenient point on the Yadkin. By Mr. Burgin, to exempt certain persons from paying toll on the Turnpike road, from Old Fort, in Burke county, to Asheville in Buncombe.]

On motion of Mr. Bragg, Resolved, that the Judiciary committee be instructed to enquire into the propriety of prohibiting by law, the public execution of Criminals.

It will be seen that a proposition has been made to the Legislature, by an artist of the highest grade of eminence, to restore to its original beauty, the Statue of Washington, which sustained such serious injury in the destruction of our Capitol. The certain prospect of investing this proud monument of national gratitude with all its pristine grandeur, must prove a source of gratification to every individual gifted with a perception of the beautiful, or imbued with veneration for the example and character of the illustrious FATHER OF HIS COUNTRY. Mr. HUGHES, the Artist alluded to, has visited our City, and after a critical examination of the Statue, asserts, that it is perfectly within the compass of his power to accomplish what he proposes. No one who converses with him on the subject, can doubt for a moment his ability to effect its restoration whatever opinion may have been previously entertained. Independent of his high reputation as a Statuary, sufficient evidence of which is afforded by letters from some of the most distinguished men in the Union, he has just made an experiment in New York, the success of which must satisfy the most incredulous. In the year 1769, when the Earl of Chatham was at the height of his fame and was deservedly regarded as the best friend of the Colonies, in that struggle which ended in the establishment of American freedom, the City of New York obtained from one of the first Artists of that day, in London, his Statue in white marble. It was placed in a most conspicuous situation, where it remained a few years; but soon after the commencement of hostilities, met the fate so common to works of this sort. It was thrown down and mutilated—the head and arms were lost—the feet broken off and the trunk reduced to a shapeless mass of stone. It remained half a century in this situation, exposed to the open air, without an attempt to restore it. Soon after our State House was burned, Mr. Hughes discovered this disfigured Statue of the Earl of Chatham, and with a view of advancing his fame as an Artist, which as he remarks in his communication, a Sculptor's riches, he conceived the idea of restoring our Statue. For the purpose of ascertaining the certainty of success in the business, should the State employ him, he purchased this figure of the Earl of Chatham, to make an experiment with, and after months of arduous exertion, he restored it to its former unimpaired wholeness, strength, durability and form.

We learn from Mr. Hughes, that it is principally owing to the solicitations of CHARLES FISHER, Esq. Speaker of the House of Commons, that he was induced to visit our City. Mr. Fisher happened to be in New York, when he was engaged in the work alluded to above, and was so convinced of Mr. H's ability to restore to our State its proudest ornament, that he insisted on his coming here to make a personal application. He has done so, and the committee appointed to examine with him, have unanimously agreed to commend his employment. Should the State accept of his offer, Mr. Fisher will feel gratified at the good work he has been so instrumental in bringing to a successful issue.

Amongst other important Bills, one has been introduced to prevent the circulation of seditious publications in this State. It imposes a tax of \$500 on every person who peddles goods in the State, to be collected in every county, unless the peddler is a resident of the State.