

of the Treasury should require it. The terms proposed by each of these institutions were nearly the same—varying only in this particular: that the Bank of the State proposed to receive the reimbursement of the money, at any time when it might suit the convenience of the State to make it, or in other words, that the Public Treasurer should be at liberty to fix the length of the periods for which the loan should be made. Determining, however, not to exercise the authority given me by the resolution, until driven to it by necessity, I refrained from taking any further steps in the matter, until by the timely declaration of dividends of capital made by the State Bank and Bank of Newbern, on the shares owned by the State in each, the Treasury was so replenished as to remove entirely all necessity for further action upon the subject. The sources, however, from which such opportune relief was brought to the Treasury, during the past year, are now nearly exhausted; and it has been determined by the State Bank, that no further dividend of capital shall be declared until the expiration of the charter; at which time it is contemplated to make a dividend of the whole of its means, and bring its affairs to a final close; so that all hope of revenue, from that quarter, will be cut off, until after the first day of January, 1838. What course the Bank of Newbern intends to pursue, in regard to the final close of its concerns, is unknown to this department; no certain calculation, therefore, can be made on receiving aid from that source. It is perfectly evident, then, from every view of the present state of the Treasury, that a loan will be required at a very early period of the ensuing year. The amount necessary to be borrowed will depend, in a great degree, upon the circumstance, whether or not an additional appropriation shall be made to continue the work upon the new Capitol, and to what amount? When that question is determined, some estimate may be formed as to the probable amount required.

Under a resolution passed at the last session of the General Assembly, directing the Public Treasurer to commence suits on all bonds given for Cherokee Lands, in which one fourth of the principal and interest due shall not be paid on or before the 1st day of December, 1835, I proceeded at an early period, after the adjournment of the last session, to notify every individual purchaser of the Cherokee Lands, whose bonds remained unpaid, of the purport of the resolution referred to, and requested their immediate attention to the subject. I regret to say, that but very few of them have, as yet, availed themselves of its terms. It is alleged, however, by the members who represented the county of Macon, in the last Legislature, that an error has been committed in the course of the resolution; that it should have been "1836," instead of "1835." I mention this circumstance for the purpose of directing your attention to the subject; as in the event of no provision being made to the contrary, before the 1st day of December next, I shall feel it to be my duty to proceed under the resolution as it now exists.

Another clause of the resolution above mentioned, authorizes the Public Treasurer to institute an inquiry into the solvency of the Cherokee bonds now due; and if he should think proper to commence suits on such of them as may be deemed doubtful; or permit them to be renewed under the provisions of the resolutions on that subject, passed in 1829. This inquiry has been instituted—but the result is not yet satisfactorily ascertained. So soon as it shall be, I will endeavor to exercise the discretion, vested in me by the resolution, in such a manner as will best promote the interest of the State.

By an Act of the General Assembly, passed at the last session, entitled "An Act directing the conveyance of the commons adjoining the town of Franklin, to the Chairman of Macon county court," it is made the duty of the Governor, to cause a grant to be issued to the said Chairman and his successor in office, for the lands described, whenever he shall execute to the State bonds with security to the satisfaction of the Public Treasurer, for the payment of three dollars per acre, for each and every acre of said land, payable in four annual instalments. Under another provision of the Act, a survey of the land has been made; and four several bonds, bearing date the 21st day of February, 1835, for the sum of two hundred and seventy-five dollars and twenty-five cents each, have been executed, as required by the Act, by the Chairman of Macon County Court, with security deemed ample by the Public Treasurer, and are now on file in this Department.

The statement marked C, accompanying this report, will show the amount of Treasury Notes issued under the several Acts of the Legislature on that subject—the amount at different times redeemed and burnt by the Committee of Finance; and the amount yet unredeemed. Of this latter amount, viz. \$52,511 92 it is believed that at least two-thirds, perhaps three-fourths, have been lost or destroyed. Most of the bills which are now presented at the Treasury for redemption, are so exceedingly mutilated, as frequently to make it difficult even to tell their denomination; and, almost impossible to detect those that are counterfeit, and those that are composed of various parts of bills arranged and pasted together. The withdrawal of so large an amount of change from circulation, within a few years, has produced serious inconvenience in the payment of small sums of money; which has not yet been overcome by the efforts of the Bank of the State, to furnish a sufficiency of specie-change for ordinary circulation. This inconvenience has been particularly felt in the transactions of this department during the last year. Most of the Treasury bills now offered for redemption, are presented in small amounts, and not infrequently in a single bill at a time. It is therefore respectfully suggested, whether the Public Treasurer should not be authorized to incur a small expense, to procure from the United States Mint, or elsewhere, an amount of specie change sufficient to redeem these bills, and to facilitate the business of receiving and paying in this department generally.

The suits heretofore pending between the State and the Banks of Newbern and Cape Fear, were decided at the last term of the Supreme Court, in favor of the Banks; for the grounds upon which the decision was made, I beg leave to refer to the report of the case itself.

The tax of twenty-five cents per share, for the last year, imposed by the amended charter, on the stock held by individuals in the Bank of Cape Fear, amounting to \$797 50, has been paid; although the amount was not received until after the accounts for the fiscal year were closed. A dividend of eleven per cent has been declared for the year, ending on the first day of November, instant, on the stock held by the State in the Bancombe Turnpike Company, amounting to \$550, which

amount has also been received at this office since the first of the present month.

Such Bank exhibits as have been received at this department, during the past year, are herewith annexed, and such others as may be received during the sitting of the Legislature, will be forthwith communicated.

The statements accompanying this report, (marked from A to H, inclusive) will be found to contain all the information on the subjects to which they relate, required to be furnished by the act regulating the Treasury Department.

In conclusion, it is deemed but an act of justice to the Sheriffs of the several counties, to state, that they have, with great promptness and punctuality, accounted for and paid into the Treasury, within the time prescribed by law, the whole amount of revenue with which they were chargeable. For this faithfulness in the discharge of their duty, they deserve the highest commendation.

All which is respectfully submitted.

S. F. PATTERSON, Public Treasurer.

STATE LEGISLATURE.

COMPILED FROM THE RALEIGH REGISTER.

Monday, November 23, 1835.

HOUSE OF COMMONS.

Mr. Guinn, of Macon, said, in looking over the Report of the Public Treasurer, he found reference made to a Resolution passed at the last session of the Legislature, directing that officer to commence suits on all bonds given for Cherokee lands, on which one fourth of the principal and interest due, shall not be paid on or before the first day of December, 1835. Mr. Guinn said a material error had been committed by the Engraving Clerks in enrolling that Resolution. As it passed the Legislature, the time specified was December, 1836, instead of 1835. He therefore moved that the Committee on Cherokee Lands be instructed to report a Resolution making the one, adopted at the last session, conform to the true intention of the Legislature. Agreed to.

Mr. Hoke moved that a message be sent to the Senate, proposing to ballot immediately for Governor of the State for the ensuing year, and nominating for the station Richard Dobbs Spaight, the Senator from Craven.

Mr. Dudley said, it was with extreme reluctance he opposed any motion of the gentleman from Lincoln, and he trusted that, in now moving to lay his proposition on the table, he should not be considered as acting disrespectfully.

The vote on Mr. Dudley's motion was announced to be Ayes 57—Noes 67. So the motion was lost.

Mr. Rayner moved to amend the motion submitted by Mr. Hoke, by striking out the word "immediately," and inserting "on Thursday next."—And supported his motion at some length.

Mr. Hoke said, the gentleman who had just addressed the House possessed a most exuberant fancy. He had said a good deal about chivalry and magnanimity, but really he could not see what they had to do with the simple proposition before them. A very substantial reason, he thought, why the elections should all be made, was, that those being over, the Legislature could then proceed to despatch the necessary business, free of excitement, and go home to their constituents. Doubt had been expressed as to the views of the gentleman nominated by him on particular subjects. Is there a man here, said Mr. Hoke, who does not know the opinions of Richard Dobbs Spaight on public matters? He had been in public life for twenty years, and never concealed his sentiments. He believed he knew all his principles and he was satisfied with them. He assured gentlemen he meant nothing unfair, he wished nothing unfair—he thought it was well understood that this election was to come on today.

Mr. KING said, the gentleman from Lincoln stated that it was well understood the election of Governor was to come on today. He would ask, by whom was it understood? It might have been by the leaders of the party with which that gentleman acted, but certainly the understanding was not general. As a free man, he protested against the application of party harness, whether it were to serve political friends or opponents. The gentleman however was so desirous of despatching the public business, that he would consent to no delay. The party to which he belonged, arrogated to themselves, he believed, the exclusive merit of attending to the public interests. Mr. King said, he recollected distinctly, that the election for a United States Senator last winter was precipitately brought on for the very same reason, viz: that the public business might be despatched. Gentlemen were invoked to give an impetus to business by having the election over. It was done, and in a few days we had a beautiful exemplification of the manner in which the public business was to be despatched. A string of Political Resolutions were brought forward, disgraceful to the State and to the party by whom they were introduced, which were debated for several days at an expense of some \$10,000 or \$12,000 to the people. This was the way in which "the public business was despatched." And he had understood that another political dose of like character was now in preparation, the one administered last session not having proved strong enough for the purpose intended.

With regard to the gentleman nominated, he felt for him great personal respect, but he was a political racer, whose notions he did not like, and he could not vote for him. He imputed nothing derogatory to the gentleman from Lincoln, but he could not help remarking what a sudden revolution his feelings had undergone with regard to his candidate. He knew the time when he was far from being a favorite with him.

But, said Mr. King, I deprecate this precipitate action. What is to be gained by it, as the gentleman from Hertford, (Mr. Rayner), has emphatically asked? If the party are confident of success, they can lose nothing by a few days delay. Are we to be forced into a balloting, merely to gratify their pride of power, and to afford them an opportunity to exult, as they have already done, at victories not achieved exclusively on party grounds? Such haste is a departure from established usage. Are we to have no time to enquire into the fitness of candidates? Is no opportunity for deliberation or consultation to be allowed us? Or has every thing been arranged out of doors, and all we have to do is, like liege vassals, to register the decrees of the juro?—As a free man, he protested against it. The annuals of every Legislature in the Union might be consulted in vain for a precedent to justify this mode of hurrying on elections. He did hope, however they might differ in their ideas of the qualifications of candidates, that the election would be at least decently conducted.

Mr. Hoke said, he believed he had got himself into a hornet's nest. The remarks of the gentleman from Irredell came with peculiar grace from him, he not being a party man, nor ever having given a party vote!

Mr. King. You are mistaken, sir.
Mr. Hoke. I ask pardon. The gentleman, however, reminds me of the story of the man and the great black dog, that he heard always trotting just behind him, but which never came in sight. It was all fancy sir—the workings of a disordered imagination. So with the gentleman from Irredell, in regard to the Mangum Resolutions. They are everlastingly present to his distempered imagination, and no doubt in his view are infamous.

Mr. CLINGMAN said, the chief reason advanced for bringing on the election now, was to save time. If there be any sincerity in this argument, why was it not brought on last week?—It was known then that there would be a vacancy, and that it was to be filled. We had to adjourn from day to day, because we had nothing to do, and so far as a saving of time is concerned, it would certainly have savoured more of economy to have attended to this matter then. Why had they not done so? Has any new light burst upon them since that period? In this country, said Mr. C., it is perfectly idle to talk about going for principles and not men. The only way of pushing principles is by getting out men as candidates who are identified with them. He went for certain principles himself, and he believed this election would affect them one way or the other. Of the nominee, he knew personally but little, either for or against.—He knew only, that he was on a particular side as regards federal politics. He protested against making federal politics the pivot on which an election of this kind should turn. Instead of examining into the principles of candidates, to ascertain whether they are in favor of measures calculated to elevate the condition of the State, it is enough for some gentlemen that they belong to a certain party. Great questions are now agitating the country. There was one particularly, and he did not allude to it now for the purpose of discussing its merits, inasmuch as he had laid Resolutions on the table in reference to it. He meant the proper disposition to be made of the Public Lands. He was desirous of knowing the opinions of the nominee on this subject. North Carolina has an immense interest in the settlement of this question, and the Governor of the State, as he is inclined, may either promote our wishes, or throw a stumbling block in the way. It is the duty of a Governor to attend to measures of State policy—to develop and foster our internal resources—and leave President-making to others. He wished time to enquire into the principles, not the political preferences of the candidates. By Thursday, the day mentioned, he could make up his mind. Suppose, in our own case, a candidate for the Legislature was to come out before the people on the day of election? Is it not certain he would be beaten? Ought the members of this House, then, to pay less attention to considerations of propriety than their constituents? He should vote for the postponement.

The motion to postpone was negatived, and the House proceeded to the election, which resulted in the choice of Mr. Spaight, as before stated.

Tuesday, November 24, 1835.

SENATE.

On motion of Mr. Waugh, the Committee on Internal Improvements were instructed to inquire into the expediency of so amending the road laws as to compel the County Courts to assign, in proper proportions, the hauls who are required to perform duty in their respective counties.

Bill presented.—By Mr. Willson, a bill authorizing the Governor to issue his warrant to some one of the Judges of the Supreme Court, commanding him to fill any vacancy that may occur by death, resignation, or otherwise, of any of the Judges of the Superior Courts of law and Equity, of this State; and by Mr. Wyeche, a bill to provide for the payment of the instalments on the shares reserved to the State in the capital stock of the Bank of the State. Read the first time and passed—the last mentioned bill referred.

HOUSE OF COMMONS.

Mr. Manly said, that those gentlemen present, who were members of the last Legislature, would recollect the eventful history of a bill introduced by him to establish the Merchant's Bank at Newbern. It passed into a law, and the Bank has gone into operation; and notwithstanding the numerous difficulties it encountered in the outset, it was now of fair proportions, and in as sound and healthy a condition as could be expected. The Charter, however, contained one or two slight blemishes, which it would require the plastic hand of the Legislature to remedy. One of these was in the clause authorizing the Stockholders, at their annual meeting, to elect seven Directors, five of whom shall be necessary to transact business. In its practical operation, this regulation is attended with great inconvenience, as it is frequently difficult, especially in the more sickly periods of the year, to form a Board. It is desirable, therefore, so to amend the bill, as to authorize the appointment of nine Directors, any five of whom shall constitute a quorum.

Another defect in the Charter, which required correction, was this: By the provisions of the Acts incorporating the Bank of the State and the Bank of Cape-Fear, those institutions were authorized to issue Notes of the denomination of \$3 and upwards, while the Merchant's Bank is restricted to issues of \$5 and upwards. A little reflection, he thought, would convince every one, of the propriety of making the issues uniform: for if they were not made so, the coffers of the Merchant's Bank would be continually drained of specie to make change, a large quantity of which is needed in commercial communities. So long as the Bank of the State pursued its present policy of issuing no notes under \$5, the Merchant's Bank would not require any alteration to protect it.

Mr. M. said, as the Amendments to the Constitution were most probably ratified, this was peradventure the last time that the town of Newbern would be represented on that floor. He hoped, therefore, before his constituents were disfranchised—before night fell on Athens—that this act of sheer justice would be done them. Mr. M. then submitted a bill to amend the Charter in the particulars specified, which was read the first time.

Mr. Clarke moved that a message be sent to the Senate, proposing to ballot immediately for a Solicitor of the 2nd Judicial Circuit, and nominating for the appointment Edward Standley.

Mr. ——— added the name of Stephen Miller.

Mr. Clarke said, there was another situation to be filled, which he wished to bring to the notice of the House. He alluded to the vacancy on the Superior Court Bench, occasioned by the death of

Judge Seawell. He moved that a message be sent to the Senate, proposing to ballot immediately for appointment, John L. Bailey, Esq., of Pasquotank.

Mr. Guinn, of Macon, moved to amend the motion by substituting "Thursday next" for "immediately."

Mr. Clarke hoped the House would not sustain this motion, unless some good reason for it could be shown. On yesterday, the cry was, let us get through with the important elections, and then proceed to the despatch of business. But circumstances alter cases. He presumed delay was now desired for the purpose of organization.

Mr. Guinn replied. The gentleman used the word organization. If he alluded to party organization, I know of no one who wishes to place this election on party grounds. My reason for wishing a postponement is simply this: It has been rumored that Judge Martin intended to resign, and if so, it will probably be made known in a few days. If that event occurs, gentlemen who would otherwise be candidates, will not compete for the present vacancy; he might probably go himself for the nominee, if he found out that he was well qualified. The West is not disposed to come in conflict with the East, if there are two Judges to be elected; and it was to prevent this collision, that he was in favor of a more distant day.

The question on the proposition to amend was decided in the affirmative, and a message was accordingly sent to the Senate to ballot on Thursday for a Judge vice Judge Seawell, dec'd., which was concurred in by that body.

Wednesday, November 25, 1835.

SENATE.

Mr. Polk presented the petition of Elizabeth McCar, praying to be divorced from her husband, Rufford.

Mr. Wyeche, from the Committee of Finance, reported a resolution, requiring the Public Treasurer to procure specie change for the redemption of Treasury notes; which was read three times and ordered to be engrossed. It subsequently passed the House, and was ordered to be enrolled.

Bills presented.—By Mr. Hogan, a bill to amend an act of 1822, for the division of Rowan county. By Mr. Waugh, a bill concerning the County Courts in this State. These bills were read the first time, the first laid upon the table, and the last named referred.

On motion of Mr. Cooper, of Martin, Resolved, That the Committee on Internal Improvements be instructed to inquire into the expediency of amending the Road Laws, so as to compel all overseers of public roads to report to their respective County Courts that may happen after the 1st day of January in each and every year, the length of the roads over which they are overseers, and their localities, and the number of banes subject to work on said roads; and that it shall be the duty of the Courts to apportion the hauls on each road, and to compel the Clerks of the respective County Courts to make such entry, and to transmit his order to each overseer, within 30 days after such order is made—and that they report by bill or otherwise.

HOUSE OF COMMONS.

Mr. Guinn, of Macon, from the Committee on Cherokee Lands, to whom was referred so much of the Public Treasurer's Report as relates to a mistake in the enrolment of a Resolution at the last session, in which that Officer is directed to commence suit on the bonds due for the purchase of Cherokee lands, made a detailed report, accompanied by a Resolution directing the Public Treasurer not to commence suit thereon until December 1836. Read first time.

A message was received from the Governor, transmitting a voluminous Report from the Commissioners appointed to revise and digest the Statute Law of the State. The Communication having been read.

Mr. Graham remarked, that the subject of the Report just received was one of great importance. There appeared to be some difficulty as to the proper course for the Legislature to pursue in reference to it. One view presented in the Governor's communication, was to have a number of the revised Statutes printed in a cheap form for circulation and examination, in the interim of the Legislature, but to postpone final action on them until the next session. Another view which had occurred to him, was for the Assembly to take up and pass on as many of the chapters as convenient, at this time. He moved, therefore, that a message be sent to the Senate, proposing to print the Governor's Communication and the letter of the Commissioners, and to refer to a Joint Select Committee of both Houses, the entire Report. Agreed to.

The Bill to amend the Act chartering the Merchant's Bank of Newbern was read the second time. Mr. Taylor moved to strike out so much of the bill as gives the power of issuing Notes under the denomination of \$5. Mr. Manly opposed the motion, and repeated the arguments advanced by him yesterday on introducing the bill. The vote on striking out was decided in the negative, 88 to 34.—The bill then passed its second reading.

Thursday, November 26, 1835.

HOUSE OF COMMONS.

Hugh Waddell, the member elect from Orange county, vice James Forest dec'd., appeared, was qualified, and took his seat.

Mr. Graham, from the Committee on Education, to whom was referred the Executive Communication in relation to the Stock reserved for the State in the Bank of the State, reported a bill to allow the Trustees of the University and the President and Directors of the Literary Fund to subscribe for such number of Shares as may be convenient for them to take—not exceeding 1,500 Shares for the former and 500 for the latter. The bill was read the first time and ordered to be printed.

Mr. Watkins, from the Military Committee, reported a bill to amend an Act passed in 1825, directing how the Regiments of Militia in this State shall hereafter be reviewed. [This bill makes it the duty of Reviewing Officers to review at the usual Parade ground, and repeals so much of the act as gives power to Captains to muster their Companies only twice a year.] Read the first time.

The bill for the more effectual suppression of Gaming was taken up for its second reading, Mr. Pippin moved to amend it, so as to make the fine on keepers of Gaming tables \$500, instead of \$200, as prescribed in the bill. The motion being stated.

Mr. Manly said, as a member of the Judiciary Committee, it was proper for him perhaps, to state the reasons which governed the Committee in in-

serting the sum of \$200. It is stipulated in the bill that the fine shall not be less than \$200, leaving it discretionary with the Judge to increase it, in proportion to the magnitude of the offence. Cases might occur, it was supposed, of so mitigated a character, as not to require a heavier fine than \$200, or a longer term of imprisonment than one calendar month; and again, others might occur, of such aggravated character, as to deserve more signal notice. By leaving the penalty unlimited, the Judge will have the power to go, in the way of fine, as high as figures can carry him, and in the term of imprisonment, to the full extent permitted by the Common law.

The motion to amend was rejected without a count, and the bill passed its second reading.

Mr. Guinn, from the Joint Select Committee on the Cherokee lands, to whom was referred the bill authorizing the entry of unsurveyed lands acquired by treaty from the Cherokee Indians in 1819, reported the same without amendment; and the bill having been read the second time.

Mr. Guinn explained its object. The lands remaining unsurveyed were refuse lands, which had never been brought into market, because it was certain they would not bring the minimum valuation of 25 cents per acre affixed on them by the Legislature. The Commissioners appointed by the State, had surveyed and entered all the land which would pay the expense, and had still left thousands of acres in the more mountainous regions unsurveyed. This bill was to enable such citizens, of that section, as chose to do so, to enter these lands which the State had refused to enter. The people of that country, Mr. Guinn said, were hardy, industrious, and enterprising, and if the fostering hand of the Legislature were extended to them, would make that portion of the State flourishing and prosperous. Not to pass the bill, Mr. Guinn said, would be to treat the citizens of Haywood and Macon with great injustice and neglect. The bill passed its second reading.

Friday, November 27, 1835.

SENATE.

Mr. Wyeche, from the Committee on Finance, to whom was referred the bill to provide for the payment of instalments on the shares reserved to the State in the Stock of the Bank of the State, reported the same with sundry amendments—Ordered to lie on the table and be printed.

Mr. Joyner, from the Committee on Internal Improvement, to whom was referred the bill to authorize a subscription upon the part of this State to the Capital Stock of the Oceanulph Turnpike Company, made a report thereon, recommending its passage into a law, with an amendment. Whereupon the bill, as amended, was read the second and third times, passed, and ordered to be engrossed.

HOUSE OF COMMONS.

Mr. Graham, from the Committee on the Judiciary, which was instructed by Resolution to report a bill increasing the Tax on Pedlars, reported a bill to regulate the practice of hawking and peddling in this State, which was read the first time and ordered to be printed. [The bill provides that no one shall peddle in the State without permission of the County Court, to be granted only on proof of good character, and the applicant to pay for the privilege a tax of—dollars. Persons peddling with out regular licence, to be fined and imprisoned, on indictment and conviction.]

Mr. G., from the same Committee, to whom a Resolution was referred, instructing them to inquire into the expediency of amending the Road Laws, reported against such amendment which was concurred in. The Committee state in their Report, that it is inexpedient to make any change, unless the whole system is revised, for which there is not time this session. Most of the complaints on this subject, the Committee think, arise rather from a want of the rigid administration of the laws, than from defects in the system.



THE OLD STAND!!

THE Subscriber begs leave to inform his friends that he has JUST RECEIVED the Latest Fashions; and is at this time prepared to complete a full suit of clothes in twenty-four hours, in cases of emergency.

One or two Workmen are wanted, who can come well recommended.

THOMAS S. HENDERSON.

Concord, N. C., Dec. 5, 1835. p3

Negroes!

On the first day of January next, I WILL Hire, at the Courthouse in Salisbury, for one year, to the highest bidder, on the usual terms, about

Fifty Negroes,

Belonging to the Estate of Dr. Stephen L. Ferrand, deceased.

And at the same time and place, I will Rent, for one year, the Dwelling-House and Lots, with all the improvements thereon, in the Town of Salisbury, formerly occupied by the deceased.—Also, I will Rent for a like term, several unimproved Lots in said Town.

R. MACNAMARA, Administrator.

December 1, 1835. —4—

Third and LAST Call!

ALL those indebted to the late firm of Murphy & Moss, are requested to settle the same by the 1st day of January next; those failing to do so, may expect to find their accounts and notes in the hands of an Officer after that day.

WILLIAM MURPHY.

December 5, 1835. p3

BLUM'S CAROLINA and VIRGINIA ALMANACKS FOR 1836. Calculated for the meridian of SALEM, N. C. A SMALL SUPPLY of the above Almanacks have been received, and may be had at THIS OFFICE, Price 10 cents per copy.—ts.