HOUSE OF COMMON

The bill to vest the election the free white men of this inder consideration, Mr. Whenlen,

ertford, rose and said-That when he took his seat this morning on is floor, he had not thought of engaging at all o the appropriate the had listened with attention ced by the gentleman from arguments urged by the gentleman from out (Mr. Blackledge,) and he had attended leasure, as at always did, to the remarks that gentleman had thought proper to in favor of this, his favorite measure.—

Igh open to conviction, the observations that gentleman had made, however ingenteed and subtilely applied, had as to him, of having effect. Mr. W. said Beaufort (Mr. Blac id not rise to make a set speech, for repared; but would, merely from ere him, which he had taken on ks of the gentleman from Beaufort, to examine the arguments which he ed, and endeavor, by a " plain unvarto show their uter failure in sp. plication to the bill now under the consideration of the House. The gentleman from Beaufort lection of the Sheriffs from the County the County Courts may be corrupt—and sugh this corruption, a Sheriff may be palment the people, whom the people do not de
It is indeed a good maxim, the idea of which is laid down in our Declaration of Independence, the immortal State paper from which we date our political existence, that prudence will di tate that customs long established should not be hanged for light and transient causes.—
This bill, urged & supported as it now is, would
goe to one of the most ancient institutions in
our State, a severe and fatal shock. The Sheriff, the most important and useful officer of our State, has from the earliest periods of our country, been chosen in this State, by the magistrates the compose our County Courts. And has this burse of things been productive of any evil? We. Mr. Speller, are sent here, delegated with high and important trusts as the representatives of the people, to devise measures for their good, and to evert any storm which the concentrated wisdom of the State may perceive gathering in our political atmosphere. We sit here in high conclave to listen to the petitions of the people and redress their grievances. Do they then complain that the appointment of the Sheriffs at present is an unholy usurpation of power on the part of the magistrates—and do they in piteous complaint, pray a removal of the grievance? If they did, sir, it is with me, no time now to hestate; it is no time to debate, but to act is all | ble ? Do their occupations lead them to we ere placed as we are bave our being," to me, an, the vox populi would be the vox des—and, if they instructed me, as if live, move and their servant, I obey. But they do not wish it. They are perfectly content in leaving the power is now vested, and notwithstanding the fears of the gentleman from Beaufort, (for hom no member on this floor has a higher respect than I have, and none who values more highly his personal friendship) this power is not corrupt or hardly corrupt ble. For who are our magistrates? They are men sel cted from among the people, by the servants of the people, on account of their experience, superior acquirements and corrected judgments to act in this high and responsible station. If we cannot expect justice and even handed equity from such men; if the magratrates are not surmally pure and incorrupsible, where in the name of mercy and honesty the slightest indiscretion into high crimes and can we expect to find it? What interest can they have to do wrong, and to violate the sancby of their oaths? If they could be so corrupt as the gentleman from Beaufort imagines, that they would palm upon the people a sheriff that he people distike, would not the misd eds of that sheriff fall heavy on them and they alike be visited for this unholy sin ? But the gentleman calls on us to take this election from the hands of the magistrates because, they then will not only be incorrupt, but they will not be led into the temptation of corruption. "Where there is no law, there is no trangression," and where there is no temptation to sin, the merit of being virtuous deserves no commendation. This not Speaker, admirable logic, and very much assimilated to the reply which I have often heard children make, as a last resort, " Ask me no questions and I will tell you no lies ;" lead me not into temptation and I will not betray you .-This is Roman virtue, and well deserves the cause in which it has been enlisted. But then the gentleman from Beaufort says, , that the magistrates not having this hi, h power, that they will not only be free from the temptation hich often proves so fatal to their virtue, but at they will also be free from all suspicion of injustice" There has rarely at any period of the world been a time when high trust has been delegated to men, but there was some suspicion connected with the transaction, that all was no correct. In the mind of that gentleman, th late Administration of our country doubtless la bor under ungrounded suspicion. Be this as it may, the gentleman must have omnipotent power delegated from the Creator, if he can so change the state of human affairs, that the best and most patriotic actions will not labor under suspicion. An Atheniar was vexed at hearing Aristides called the just, and long ago a mighty spirit, who well knew the workings of the hu-

disposition, pronounced-** Be thou as chaste as ice and pure as snow " Thou shall not escape calumny ;" and, sir, you can place this power in no hands there the exercise of it is not hable to this de-

The gentleman further says, that " it would Barons of England they proclaim " nolumus leges him amenable to the people." Such a high officer as this in our country, he that acts as the them on the watchtower which guards their poimmediate executive power in our State, I would little I institutions, I assure this House that they have responsible ; yes, I would have him severe | want not this law. It is now ten years or more ly responsible. The sword of justice should that this marter has been successively urged on hang heavy over his head, suspended like that the attention of the Legislature and the notice of D modes by a single har. But I would have of the people, but yet they want not the alterathat power, whose prevince it is to sever that tion—they tell us, and they tell also the gentle-hair, to be high, serious and responsible. It man from Beaufort, like Rolla did the invading not place it in the hands of every rowdy to injure Spaniards "we want no change, and least of that man who must in the conscientious discharge all such change as you would bring us." of his duty, sometimes would, where he would

The gentieman from Beaufort, has produced

an instance, benely and individual, of the cor-ruptibility of the magistrates at present. He says, "in the county of Pitt, in this State, in tauces have occurred of the sheriffs not collect-

uive of its weaknes. I know well, on any other occasion, that gentleman would never for a single shuse of the power which may be vested, entreip take away that power, nor would be condemn it for those imperfections which are blended with all our institutions. Did this afford blended with all our institutions. Dd this afford a legitimate ground or objection, then the pro-tession of the law, theoretics is it has been in every age by the illustrious and the good, would be considered as a pest to accrety, should the rate uses to which its harting is sometimes applied be considered as originating, from its justi-plied be considered as originating, from its justi-plied be considered as originating from its justi-tio for if the thicks and chicane of the con-

nary contests under the bunner of e intemperate advocates se creeds and professions have displayed ore properly should be attached to the ection of nature, than any defect in the itself. And if the case pointed out, occur in Pitt or elsewhere, it ough never to be used as an argument against the present mode by which our sheriffs are chosen. n from Beaufort further remarks, objection that can be urged a osed change is, that it will tend turbulence of our elections;" " that the gainst this or his natural intuitiveness ented an objection which

but he easily surmounts this alpine objection, by simply remarking, " that it is in the nature publican institutions." The gentleman mehed this point, and quickly passed it his natural intuitiveness perceived that me by any ingenuity of argue teed, Mr. Speaker, a formidable and if there were no other, I should conceive it sufficient to cause me to vote against the bill now under discussion. All governments that the genius of man has ever devised, have labored under some defect which was beyond the power of human discernment to foresee, or human wisdom to correct. The history of every age and of every nation will fully support my position. And of the three governments which different writers on this subject have laid down, they have at the time while noting their various advantages and modifications, also discovered some defect existent. The Monarchical, where all the sinews of government are knit in the hand of the Prince, while it combines decision & energy, also may be used to the great injury of the subject and the detriment of the people, when impelled by depraved and wicked rulers. The Aristocratical, while it has its good, the concomitant evil is at hand; and the Republican, the most happy and best of all, the government under which we live happy and prosperous, defects which are unavoidably blended with all things of human invention, must and will exist. There is no danger when the people are rightly informed and are not misled by their friends, (at least, by name,) for all power is vested in and derived from the people. But, sir, in the moments of high political excitement, when the angry passions of our nature are warmed into fiery action, the wisest & best, the most calm & collected among us, have displayed inconsistencies which in cooler moments they would have avoided. Shall then, the people be free from feeling, when this excitement is created. Are they not equally liacauses and effects, and can they see the end of the course which they are often led to pursue! Have they the time, if they had the disposition to investigate the motives of those who soothe them with blandishment, or lull them with flattery ? And when their teelings are by some untoward causes, roused into action, who will act the delightful part of a peacemaker, and reconcile their perturbed spirit? The foul demon which sits like an incubus on the genius of our country, is the violence of party spirit. This is an evil which stalks around our land, " seeking whom it may devour." Not, Mr. Speaker, that I consider a proper degree of party vigilance hartful. This, sir, adds an additional vigour to the exertions of our statesmen, and gives fresh impetus to the life-blood that nourishes the liberty of our country : but it is that mean, grovel ling spirit of party envy that seeks to magnify misdemeanors, and impugns the most virtuous intentions. This, sir, led on by men of narrow souls, "who hate the excellence they cannot reach," may sometimes pervade our popular assemblies. In the violence of those assemblies, whose heart is so stout, or whose nerves are so firm that the shock passes them unruffled and unhurt ? This undue party spirit is an evil, Mr. Speaker, which it is our duty, as guardians of the public weal, to bind hand and foot and cast it from among us. The time has gone by, but I rememember it well, (though my years of remembrance are but a span compared with many that I have the honour to address,) when the un holy influence of this spirit pervaded every class being tempted to corruption, is really, Mr. of our community. It even obtruded its miscreant front into the sanctuary of our dwel ling a & the father turned the cold hand of hatred on the son that was his offspring, and brother met brother not in unity and love. These, sir are the workings of this accursed demon, and this is one of the plague spots that rests on our political body. I thank Heaven that there is no man in this world that I bear an unfriendly feeling towards; but under such laws as this bill would create, we are all liable to exhibit a scene of distraction only equalled by the pandemonium of the infernal regions. This is the rock on which the bark of our political existence may be shipwrecked. In the violence of our elections, the friend of his country looks with an eye of mournful foreboding. Every year that rolls round exhibits strongly the necessity of watching with an argus eye this institution ; else the sword that now guards our liberties and happiness, may be turned towards the destruction of that it is in-

tended to protect. No, Mr. Speaker, the peo-

ple wish not this change. They are satisfied

with the Sheriffs that they now have to execute

the laws among them; they believe not in the

corruptibility of the source from which these

Sheriffs derive their existence : they have confi-

dence in those magistrates who are placed among

them to be " a terror unto evil doers," and in

their hands they are willing to trust the charge

which our gallant forefathers bequeathed to

them. They want no change, sir, in the ancient landmarks of their country ; with the ancient

Wednesday, Dec. 24. A message was received from the Senate, asking the concurrence of the House to a bill making it the duty of the officers of the second regiment of Rutherford miing their taxes from the magistrates, because these magis rates might vote a aimst them."—
From this one abuse of an institution venerable by age and hallowed by custom, the gentleman would argue against its utility. This betrays a first bill was indefinitely postponed—the ep in the manny ment of his case that is incli- last read three times and ordered to be

The following bills were presented and passed their first reading, viz :- By Mr. Watford, a bill for the better regulation the town of Windsor. By Mr. Swain, a bill prescribing the mode by which bastard children shall bereafter be legitimated. By Mr. Vail, a bill to amend the inspection laws of this State, passed in 1784 and 1796. By Mr. Fisher, a bill to incorporate the Chatham fron Manu- authorizing James Bedford, of Burke, to of a part of the revenues of the United facturing Company. By Mr. Spruill, a erect two Gates therein described—to a States among the several States.

of the world, nor is its bill directing the time and place of sell-| bill authorizing the Trustees of the Eden- | Mr. Hayne, from the ing land under execution in Halifax coun- ton Academy to dispose of By Mr. Hampton, a bill to compel to a bill requiring the Ma Sheriffs and Constables, whenever they the 4th division to review the reg Sheriffs and Constables, whenever they the am division to reverse usual places of priated, and divided, in rateable proporto the Defendant of the same.

Blackman, Sheriff of Wayne, was read the 3d time, and ordered to be enrolled.

Mr. Stockard presented the petition of Frances H. Dilliard, to have property in Buncombe-to a bill for the relief of Tho. hereafter acquired secured to her. Re-

The bill for the improvement of the solution in favor of Isaac Baker, Sheriff road leading from Morganton to Lincolnton passed its second reading, 60 to 52.

Mr. Borden presented a resolution, which was negatived, to adjourn over

Christmas Day to Friday. The engrossed bill to authorize the County Court of Person to establish a Poor House in said county, was read the third time and ordered to be enrolled.

The bill to alter the time of holding the Superior Courts of Mecklenburg and Cabarrus, was read the third time and ordered to be engrossed.

On motion of Mr. Watson, the Judiciary committee were instructed to enquire into the expediency of passing a law to secure to Sheriffs and Jailers their fees for the arrest and imprisonment of Defendants on writs of capias ad satisfaciendum, where the said Defendants are insolvent

Thursday, Dec. 25.

Mr. Wyche, from the committee of Finance, to whom a resolution in favor of Jno. Sloan, Sheriff of Mecklenburg, was refered, reported the same, with a recommendation that it be passed. It was accord-

ingly read the second time. Mr. Bozman presented a bill to incorporate Zerubabel Chapter, No. 11, in Edenton, which passed three readings and was ordered to be engrossed.

The resignation of Samuel T. Sawyer, Major of the Chowan Militia was read and

On motion, the House adjourned until to-morrow morning.

Friday Dec. 26.

The bill to amend the law, directing the sale of slaves and lands so far as respects the county of Montgomery; and the bill, for the better regulation of Fisheries on Salmon's Creek, Bertie county, were read the third time and ordered to engrossed.

The resolution in favor of William Huggins, Sheriff of Jones, was read the third time and ordered to be enrolled.

Mr. Spruill, from the committee o Claims, to whom was recommitted a re solution, in favor of Wm. Robinson, re ported unfavorably on the same, and it was rejected.

Mr. S. also reported adversely on the resolution in favor of Rand and Webb .-Concurred in.

Mr. Monigomery presented a memorial from James Grant, Comptroller, asking to be allowed a clerk in his office. Referred.

Mr. Nash, from the Judiciary Committee, to whom was referred a bill, to prevent the emancipation of slaves; and also, a bill to regulate the emancipation of slaves, reported, that the committee had considered said bills and instructed him to say, that it is inexpedient to pass into a law, the first mentioned bill and to report the second to the House, with sundry amendments. The question to concur in the first member of the Report, passed in the ffirmative. Mr. Bethell moved for an indefinite postponement of the last, which was negatived 68 to 54. The bill passed its second reading.

The bill, for the better regulation of the town of Windsor, in Bertie-the bill to repeal an act passed in 1827, prescribing the manner in which Staves, Heading and Shingles shall hereafter be counted, so far as respects the county of Perquimans; & the bill, directing the time and place of selling lands and slaves under execution, the manner in which Wardens of the Poor, in the counties of Halifax, Northampton and Hertford, passed their second & third reading and were ordered to be engrossed. bill, authorizing James Bedford of Burke,

favor of Daniel Sands. Referred. Mr. Hester presented a bill, to establish separate elections in Person connty. Read three times and ordered to be engrossed.

The bill appropriating \$800 for the improvement of the Road, leading from Morganton to Lincolnton, was read the third time and postponed indefinitely 71 to 59.

Wednesday, Dec. 24.

The following bills were presented, viz. By Mr. Askew, of Bertie, a bill to repeal an act passed in 1827, to prevent the obstruction of fish up the Roanoke Riverby Mr. Pugh, a bill concerning the payment of Pilots in certain cases-by Mr. Mebane, a bill in aid of the funds for Internal Improvement-which bills passed their first reading.

Mr. Shober, from the committee of Propositions and Grievances, reported a bill to restore to credit Andrew Walker, of Mecklenburg; also, a bill to restore to credit Silas Bond, of Martin-which pass-

ed their first reading. favor of David Washburn, of Burke, and ciary Committee. Mr. Williams, the petition of Alfred M. Slade, of Martin, praying to be relieved

for a Sheriff. Referred. A message was received from the House of Commons, asking the concurrence of the Senate, to a bill directing the manner in which Wardens of the Poor in Cu berland county shall hereafter be chos to a bill requiring Registers and Clerks sion, was adoptedand Musters in Equity to keep their offices at their respective Court-Houses-to duce a bill to provide for the distribution

al property, to deliver a written notice muster—to a bill appointing Sol. Graves tions among the surviving captors of the Commissioner for building a Court House The resolution in favor of Calvin R. in Surry-to a bill to repeal an act passed in 1824, regulating the mode of electing Wardens of the Poor in Buncombe-to a bill for the better regulation of Asheville. Marshall, sheriff of Carteret, and Stephen Owens, sheriff of Beaufort; to a reof Currituck-which were respectively read the third time and ordered to be en-

The bill to regulate the payment of salaries of Officers of the State; and the bill to amend an act passed in 1821, to incorporate a company entitled the Roanoke Inlet Company, passed their second for imposing duties on sales at auction. and third reading and was ordered to be and one from Bo-ton remonstrating against engrossed.

The bill for the relief of sundry persons | duties. engaged in surveying Cherokee lands, was read the third time and ordered to be en-

On motion of Mr. Davidson, the Senate adjourned over Christmas Day to Friday.

Friday, Dec. 26.

A message was received from the House of Commons, asking the concurrence of the Senate, to the bill altering the time of holding the Superior Courts of Mecklenburg and Cabarrus. The bill passed its first reading.

The following bills were presented, viz: By Mr. Mears, a bill authorizing the Commissioners of Navigation of the port of House, no member of that House shall be Wilmington, to regulate Quarantine, in said port. By Mr. Parker, a bill supplementary to an act passed in 1826, for the better regulation of the town of Greensborough, in Guilford county-which were respectively read three times each, and the laws from stereotype plates. ordered to be engrossed. By Mr. Davenport, a bill to open a road from Lee's sented to Congress a bust of Gen. Moultrie, Mills, to the head of the New Land in the work of his own hands. Mr. Drayton Washington county. Read the first time pronounced a handsome eulogium both on and referred to the committee on Inter- the sculptor and the patriot soldier he has nal improvement.

Mr. McDowell presented the petition of sundry citizens of Buncombe, praying an appropriation for a road. Referred.

The resignation of Joseph Neale, Major of the 3d Regiment of Burke, was read and accepted.

The bill to repeal an act passed in 1827, Pittsborough, to Haywood, North-Carolina. to prevent the obstruction of Fish, passing up Roanoke River—the bill to improve the navigation of Perquimons River-the bill to restore to credit, Andrew Walker, of Mecklenburg-the bill for the encouragement of clearing out obstructions in the navigation of Lumber River—the bill to regulate the mode of trial in the Superior and appeals to the Supreme Court and the bill declaring the effect of a nolle prosequi upon an indictment, were inde-

finitely postponed. The bill to restore Silas Bond, of Martin to credit; and the bill for the improving the navigation of Creeks and rivers in Sampson county and of Black River, so far as it is the dividing line, between the counties of Sampson and Cumberland, passed their third reading and were order-

ed to be engrossed. The following bills passed their third reading and were ordered to be enrolled: they are therefore laws, viz: A bill for the relief of Thomas Marshall Sheriff of Carteret, Stephen Owens, Sheriff of Beaufort and Wyatt Moye, Sheriff of Greene -A bill to repeal an act passed in 1824, regulating the mode of electing Wardens of the Poor and directing their duties, so far as relates to the county of Bun-Graves, Commissioner to superintend the erection of a public building in Surry -a bill, altering the time of bolding the County Courts of Ashe-a bill, directing in the county of Cumberland shall hereafter be chosen, and for other purposes-a Mr. Michell presented a resolution in to erect two Gates, therein describedbill, authorizing the Trustees of the Edenton Academy, to dispose of certain lots-a bill, requiring the Major General of the fourth Division, to review the Regiments of Rowan, at their usual muster places-a bill, to amend an act, to prohibit the trading with slaves, except in the manner therein prescribed.

The engrossed bill, to repeal in part, the 3d section of an act passed in 1806, to revise the Militia Laws of this State, relative to the infantry, was read the second time.

CONGRESSIONAL SUMMARY.

SENATE.

Mr. Noble introduced a bill for the relief of Revolutionary and sundry other officers and soldiers, and the bill for the relief of sundry officers, soldiers, & widows : which were subsequently read a second time and referred.

Mr. Baroard presented a memorial of the Abolition Society, praying that sla ry may be abolished in the District of C Mr. Burgin presented a resolution in lumbia; which was referred to the Judi-

Mr. Silsbee introduced a bill making an appropriation for a Break water near the isfrom a penalty incurred by being security land of Nantucket; which was afterwards read a second time and referred

> Mr. Eaton submitted a resolution in relation to the election of the Printers of Congress, and requiring the choice to b determined by a majority, and not a plurainty of votes; which, after some discu

Mr. Dickerson obtained leave to intro-

tain lots - val Affairs, reported a bill for the relief of eneral of Susan Decatur and others. [This bill pronents vides that 100,000 dollars shall be appro-Philadelphia frigate, and the heirs of those who have deceased : of which the proportion to be given to the heirs of Commodore Decatur is fixed at \$31,000.7 The bild

was read, and passed its second reading. Both Houses adjourned from Wednesday to Monday, the first instance of such recess having ever taken place. On Tuesday last, James Iredell, our Senator, vice Mr. Macon resigned, took

HOUSE OF REPRESENTATIVES.

Sondry memorials and petitions were presented, among which were a number any change in the method of confecting

Mr. Hali's resolutions declaring it unconstitutional to make roads and canals. and to erect toll gates and enforce the collection of tolls within the limits of the States, were laid on the table.

The appropriation bill for the 1st quarter of 1829 was passed.

Mr. Smyth's resolutions proposing amendments to the Constitution of the United States, so as to render the President ineligible after the first term ; prescribing the mode of electing the President and Vice President ; excluding Senators from office under the Government during their Senatorial term; and providing that when the choice of President is made by the appointed to offi e; were taken up, and laid upon the table.

A proposition has been submitted to the House by Mr. Strong, of New York, and referred to a select-committee, for printing

A Mr. Conklin, of Charleston, has pre-

On motion of Mr. Long, the committee on Roads and Canals, have been instructed to enquire into expediency of granting an appropriation for the purpose of making a turnpike road from the town of Salisbury, by the way of Lexington, Ashborough, Mr. Bryan moved the following: which

was read, and laid on the table for one day a Resolved, That the Secretary of War be directed to inform this House what progress has been made in executing the act of the 23d of May last, so far as the same relates to the im provement of the navigation of Ocracock Inlet in the State of North-Carolina; and, also, communicate any additional report made to Engineer Department respecting the same.

State of North-Carolina, Pitt County

Court of Pleas and Quarter Sessions; November Term, 1828.

Benashly Atkinson,) Original attachment. Levied on Negro Capthe Amos A. Atkinson. 25th August, 1823. Tappearing to the satisfaction of the Court, that Amos A. Atkinson, the defendant in this case is not an inhabitant of this State 2. It is ordered that publication be made in the Raleigh Register for six weeks, that unless the said Amos A. Atkinson appear before the Justices of the Court of Pleas and Quarter Sessions at the nex Court to be held for the County of Pitt, at the Court-House in Greenville, on the first Monday in February next, replevy the property and plead to issue, final judgment will be taken against him, and the property condemned to satisfy the plaintiff's demand. Witness James Sheppard, combe-A bill, appointing Solomon Clerk of our said Court at Greenville, the first Monday in November, in the 53d year of our ladence, A D. 1828. JAMES SHEPPARD, CIK

State of North-Carolina, Burke County.

Superior Court of Law ; September Term, 1828.

Margaret Conway,) Petition for Divorce.

John Conway. RDERED by Court, that publication be made for three months in the Raleigh Register, and Western Carolinian, that the Defendant appear at next Court, and plead, on the 4th. Given under my hand,

WM. ERWIN, Clerk. By E. A. ERWIN, D. C.

State of North-Carolina,

In Equity-Fall Term, 1828. Anthony A. Wyche, Complainant

Edwin Whitehead, Wm. T. Williams, Sam'l. W. Tunstall & Juo. D. Amis, Defend'ts.

T appearing to the satisfaction of the Court, that Samuel W. Tunstall and Wm. T. Wi liams, two of the Defendants in this case, are non-residents: It is ordered, that publication to made in the Paleigh Register, for three months, that unless they appear by the second day of next term, and plead, answer or demur to the Complainant's bill, it will be taken pro contests. and set for hearing ez para, as to them. Witness, Edmund B. Freeman, Clerk & Ma ter of the Court of Equity, for the county alore said, at office, the 4th Monday after the 4th Monday in September, 1828. hDM. B. FHEEMAN, c. M. L.

POCKET BOOK LOST.

Pocket Book was lest on Priday last, be-A tween Raleigh and the Paper Mill on Urab-rac, containing \$13 90, in money ; a Note of Any person having found the arme, and will have it at J. Gales & Son's Booksture, or will J. Hart, at the Paper Mill, will be suitably re-Dec. 20, 1828,