BALFIGH BEGITTER AND NORTH-CAROLINA GAZETTE.

NEWBERN, N. C.

In reply to the inquiries made by the your town to the capital of your State, beeswax. and what is its direction?"

Answer. Newbern is distant from RA-LEIGH, the Capital of North-Carolina, E. S. E. & E.; the latitude and longitude vessels belonging to the town. of Raleigh being 55° 47. N., 78° 48' W .; of this place, 35° 20' N. 77° 05' W. Query 2. "On what stream, canal or

railroad is it situated?"

Newbern, the county town of Craven, is pleasantly situated at the confluence of the rivers Neuse and Trent, the former, the principal, being about 300 miles Person counties, to Pamptice sound, mile and a half wide at the town, and is their mode of conveyance?" navigable thus far for vessels of 150 tons. a small river, navigable for vessels of 150 tons to Polloksville, twenty miles, and for boats to Trenton, 40 miles, and is half a mile wide opposite to the town.

Query Srd. "What number of inhabitants does it contain, what number of merchants, lawyers, physicians, &c." Answer. Newbern contains 4000 inhabitants, of whom about 70 are engaged, as principals, in mercantile pursuits, five or six in the practice of Law, and about the same number are Physicians.

Query 4th. "What are its public buildings, its schools and its manufactories?"

Answer. Its public buildings are a court house, a jail, a custom house, (alias a pigeon box) a market house, a theatre and masonic hall (both in one building) five churches, and an incorporated aca demy. Besides the academy, there are five or six private schools & There are in the town about 700 houses, of which about 70 are stores, and two are bankinghouses.

The manufactories of the place are very limited ; there are two steam saw-mills.

Query 7th. "What are the principal products of your country?"

Answer. This inquiry has been parti-Editor of the Philadelphia Commercial ally answered in replying to that which Herald, we furnish the following meagre precedes. In addition, we will mention and hasty statistical notice of Newbern.) tar, pitch, turpentine, shingles, staves,

> Query 8th. "Where are these products sent to market?"

Answer. Principally to New York, but

considerably greater. About 10,000 bales of cotton and 100,000 barrels of in length from its sources in Orange and turpentine are among the annual exports. Query 10th. "Where do your merwhere it empties. This river is about a chants purchase their goods, and what is

Answer. In New York principally; and, county, 200 miles farther. The Trent is 8th inquiry, partially in Philadelphia, rally furnished by vessels owned in Newbern.

> The Editor of the Herald will perceive that we have laconically replied to his interrogatories, in the way of question his literary friends, be engaged in the him, by letter, with more extensive information on the subject of our State and neighborhood, for which we have copious

materials. - Spectator.

STATE LEGISLATURE. -----

Monday, Nov. 21, 1836.

This being the day appointed by law for the meeting of the Legislature of North Carolina, the two Houses assembled at the Government House, in this City, and were organized.

HOUSE OF COMMONS.

The members having taken the oaths prescribed for their qualification. which were administered by Johnston Busbee; Esq. Mr. J. W. Guinn moved that Wm. H. Haywood, Jr. be appointed Speaker ; Query 1st. "What is the distance from pine lumber, pork of the best quality, and & on motion of Mr. Rayner, the name of North-Carolina to accept such portion of the Surplus like former expenditures from the fund, a very large while each House was the only authority to order portion of which was so expended as to be neither write of election. William A. Graham was added to the nomination. The House thereupon proceeded to vote viva voce, and upon calling the roll, the following members voted 120 miles by the stage route, and directly partially to Philadelphia, Baltimore, Bos- for Mr. H. viz: Messrs. Nye, Smallwood, 881 miles, and it bears from the latter ton, Charleston and the West Indies, by J. F. Lee, Speller, Marshall, L. A. Gwyn, W. A. Lea, Cotten, Hartley, Neale, Hol-Query 9th. "What is the amount of lingsworth, D. Jordan, A. Perkins, Danmerchandise sold in your place annually?' |iel, George, Howerton, Martin, Stallings, Answer. Estimating from the taxes Hooker, Simpson, Smith, Tomlinson, K. paid on importations, there is sold in this | Whitley, Davis, Hoke, Cansler, Kenan, place about \$200.000 worth of merchan- Holland, Ward, J. W. Guinn, Roebuck, dise annually. The amount of export is Hutchinson, Caldwell, Dunn, M'Neill, Blount, Walker, Henry, Averitt, Stockard, Chambers, Williamson, Moye, Spiers, Watson, Tuton, Irion, Braswell, J. W. Lane, Sloan, Critz, Roberts, Calloway, Hawkins, Coor, R. Whitley, Byrd, Rand, Courts, Judkins-60.

And the following members voted for and for boats to Cobb's Mills, in Wake as may be inferred from the reply to the Mr. Graham, viz : Messrs. M.Rae, Gillespie, Clayton, Erwin, J. H. Perkins, Boston, Charleston, and the West Indies; E. P. Miller, W. S. Harris, Pritchard, and the means of conveyance are gene- M'Clenahan, Guthrie, Hoskins, Maultsby, Brummell, Pinkston, Gilliam, Jefferson, Covington, Horton, Grady, Hill, Eaton, Flemming, Lindsay, Adams, J. Matthews, Gee, Moore, Rayner, Farrar, J. A. King, Loudermilk, Howard, W. and answer. If, however, he, or any of Harris, Bedford, Davenport, Petty, Satterthaite, Patton, E. Jordan, Gary, Faicompilation of a statistical work for the son, N. J. King, Boon, Cox, W. B. Lane, public benefit, we will readily furnish M'Allister, Thomas, Clement, Fisher, Crawford, Miller, C. Matthews, Gales

Mr. Haywood having received a majority of votes, was declared duly elected; when he was conducted to the Chair, and made his acknowledgments to the House in an appropriate Address.

On motion, Charles Manly was reappointed Chief Clerk, Edmund B. Freeman Clerk Assistant, and Isaac Truitt, door keeper. A balloting was then had for Assistant door-keeper, which resulted in the election of James Page. The House then adjourned until tomorrow, 10 s'clock.

SENATE.

Wednesday, Nov. 20. Resolutions, which were read, and order-

ed to lie on the table : Resolved. that it is expedient for the State of division, fall to her share, according to an Act of Congress passed at the last Session, entitled "An Act to regulate the Deposites of the Public Money." Resolved, that a joint Select Committee, of five on the part of each House, be appointed to draft a bill for the acceptance of our proportion of said Surplus Revenue, and for its safe keeping, when paid over to the State.

Resolved, that so much of the Governor's Message, as relates to the subject, and all accompanying papers, be referred to said Committee.

Mr. Gudger presented the following Resolution :

Resolved, that a Message be sent to the House of Commons, proposing to appoint a joint Select Committee, of five on the part of each House, to take under consideration the subject of the Cherokee Lands; and that so much of the Governor's Message, as relates to this subject, together with all the accompanying papers, be referred to said Committee. Read and adopted; and the Senate then adjourned.

HOUSE OF COMMONS.

Johua G. Swift, the member representing the county of Washington, and J. T. Granberry, from Perquimons, appeared and were qualified.

The House proceeded to vote for one Engrossing Clerk, and James J. Thomas

was elected. Received from His Excellency, Governor Spaight, by his Private Secretary,

Mr. Thomas B. Haywood, the following Communication :

To the General Assembly of the

State of North-Carolina. GENTLEMEN :

In meeting you, it is a subject of gratulation to state, that though the productions of the soil have not been so abundant as in former years, yet the increased value of the fruits of Agriculture afford such ample remuneration to labor, as to give unexampled prosperity to the country, and to stimulate the enterprize of our citizens. To you, the first Legislature convened under the amended Constitution, the expression of satisfaction at the termination of the agitating question, which has heretofore disturbed our councils and made us a divided people, is ustment of the question of the ratio of representa-It would, perhaps, be too sanguine in us to expect that in a short space of time, the feelings which years had produced, would be obliterated. It would show a want of experience, a want of knowledge of the human passions, to entertain the expectation, that hatred or dislike could immediately be succeeded by love and affection. Years may roll round, and it may be that this generation will have to pass away, before those differences and feelings will be as things that have been-belonging not to the present, but the past history of the State. Though it is expected you will reflect the feelings of your constituents, yet y your example and conduct you can act upon them. To you therefore is directed the attention of two Houses, for three engrossing clerks; the citizens of the State; and upon you, in a consiwhich resulted as follows : West 40, derable degree, depends whether the hopes of the In making this, my first communication to you, I must call your attention, as of primary importance, to our Judiciary System. That it has defects, no one can deny. Some, if not all, of the Circuits are too large, requiring great mental and bodily labor in the Judges holding the Courts, and allowing too hile time to do the business before these tribunals .--The convenience of the people and a regard to jus-tice, require that some alterations should be madewhether a new arrangement of those, now existing, or the establishment of one or more additional Circuits would remedy the evil, is for you to determine. As referring to this subject, I transmit herewith the ness to proceed to the despatch of pub- memorial of a Committee of the members of the Bar lic business. Whereupon, a message of of the 6th Judicial Circuit (marked A.) addressed similar import was transmitted to the to the Legislature. The memorial was sent to me Senate. In the execution of the criminal laws, especially a Committe of five persons be appointed to prepare and report rules of order for the government of the Heuse the present session; that, in the interim, the rules of last session be observed;, and that a message be sent proposing to the Senate message be sent proposing to the Senate ings, real or supposed, of the criminal. Pity for the to raise a joint select committee of five offender lessens the enormity of the offence, and palliates the guilt of the individual-the law is look-"ed upon as harsh and severe, and the person, undergoing its sentence, is considered the victim of its severity and not a proper sacrifice for the good of society. Thus, at the same time, is diminished respect for the law, and aversion to crime. Delay ing to the proposition, and informing renders punishment uncertain, affording more chances in escaping the penalty of law. The punishment ought to be speedy and certain in proportion to the offence, giving the accused proper time and means for his defence. Its object is not only to correct the offender, or cut him off as a bad member of the Commons, and it was ordered that ter others from the commission of crime. The more speedy and certain, therefore, the greater will be the effect produced. These remarks are made to direct more particularly your attention to what I consider a growing evil, that you may, if you take the same view of the subject, which is presented to me, apply the pioper remedy. In conformity with the requisitions of the Consti-Cape Fear, 141 shares Bank of Newbern, and 283 shares in the State ank of North Carolina. The par value of the two first descriptions of Stock would

nitude. If it should be the intention of the Legisla- under such regulations as may be prescribed by law

it will become necessary to provide for its increase.- General Assembly. By the ordinance providing for Mr. Carson presented the following If it should be your determination to engage the the ratification of the amendments, it is declated State in a system of Internal Improvement, I would that they shall, if ratified, take effect and be in force recommend that the operations should be commenced from and after the 1st of January 1836. The Le. at such points and in such manner as to render available and useful, whatever work should be done; not last, before the amendment had taken effect, and portion of which was so expended as to be neither writs of election. beneficial to the community nor any part of it. In making this remark, I do not mean to pass a sen- State against the United States, for expenditures

tence of universal condemnation, for I believe many during the last war with Great Britain, having reuseful roads, if not other works, have been construct- ported that the claims could not be settled without ed although a very great portion of the money has an act of Congress, I requested our Senators and been most unprofitably spent.

At the Treasury Department, during the last dy. It has been submitted to its consideration, but fiscal year, there has been received from all sour- no decision has as yet been obtained. I have, ac. ces, the sum of \$586,416,24, viz: from the loan ef- cording to the instructions of the General Assembly fected under the provisions of an act passed at the sent the Reports as directed by the Resolutions, and last Session of the General Assembly, \$400,000, from I have received from Massachusetts three copies of taxes \$71,382.85 and from Bank dividends, &c. the Revised Statutes of that State, and from Ken-\$115,03359. The disbursements for the stine period including the payments of Bank Stock, amounted to Ritte's Digest of that State, two volumes, \$589.086,62; making a deficiency of \$2,670.38.-For several years the disbursements have been more than the receipts. This has arisen, At is believed, and the nett amount, eighty-seven dollars and sixty-

if not more, while the less scrupulous evade the pay- marked D. ment of their just proportion of the tax. That part of the revenue system relating to the assessment of the States of South Carolina, Georgia, Virginia, lands requires amendment, and I recommend it to New-York, Alabama, Maine, Massachusetts, Kenyour consideration. By a proper assessment, it is tucky, Connecticut, Mississippi and Ohio, on the probable, at the present rate of tax, the revenue from subject of Incendiary publications, Abolition, Slavethat source would be increased at least fifty per cent- ry, &c. in file marked E. I also send Resolutions um. It is the duty of the Legislature, in imposing of the Legislatures of the following States, viz : any tax upon the people, to cause its operation to be Maine and Ohio, relative to the election of President just and equitable on all.

The Act of 1827, regulating the Treasury Depart- New-Jersey approving the President's course toment of this State, needs some modification. The wards France, (marked G.) Pennsylvania relative penalty of the bond required by the act, is so great as to the Public lands' (marked H.) Georgia and India. almost to prevent any person from becoming Public | na, relative to the Cincinnati Rail Road, (marked I.) Treasurer, unless possessed of wealth himself, or having friends and connexions very wealthy. The object of the great penalty is, no doubt, to secure the J. Alexander, Esq. as Solicitor of the sixth Judicial funds of the State. It is submitted, that a diminution in the amount of the penalty of the bond, could the Council of State. The resignations accompany be made without jeopardizing the interest of the State. New guards might be placed around the Treasury .-The time required by the Act (fifteen days) for the person elected to give bond, is too short. Any casualty might prevent its being done within the time; and the individual without any fault, incur the for- since, only reached the Executive Office during the feiture prescribed by the act, and the public be put to last Summer. I have received from the Secretary considerable inconvenience. By increasing the time, of State of the United States, one set of Public door allowing some discretion in the persons authorised cuments, for the Executive Office, one set for the to receive the bond, to judge of the sufficiency of the University, and two sets for the Legislature, on excuse for the delay, the inconvenience might be ob- whom rests the disposal of them. viated. I would recommend the first measure, because, in my opinion, as little discretion should be the loan, and the resolution authorizing the sale of

the interest of the State. The condition of the Militia of the State, earn- such other matter, as it may be required to place beboth just and proper. It is hoped that, with the ad- estly demands the attention of the Legislature. Up- fore the General Assembly, shall be communicated. on that force, in case of invasion or insurrection, will tion, all the differences, antipathies, and dislikes, if in a great measure, depend the welfare and safety of not hatred, arising from its agitation, will terminate. the State. Without discipline and proper organization, what would be expected from it in the hour of peril ! A thorough reform of the system is required. Under the provisions of the Constitution, until lately amended, the appointment of all General and Field Officers belonged to the General Assembly .-By the amendment, the power to pass laws regulating the mode of appointing and removing Militia Officers, is given to the Legislature. It becomes necessary to carry into execution that amendmentthat you should legislate upon the subject. Your speedy action may be required. By an act of Congress, the President of the United States is authorised to accept Volunteers, who may offer their services; and it is provided that the Officers shall be appointed in the manner prescribed by the laws of the several States and Territories, to which the companies, battalions, squadrons, regiments, &c. respectively belong. If a call should be made upon the State for Volunteers, there is no provision by which

ture to engage the State in any work of importance, to fill vacancies occurring before the meeting of the gislature that passed the Act adjourned in December

The Agent, authorized to settle the ciaims, of the Representatives to bring the subject before that be-

tucky copies of Dana's Reports in two volumes, and

The Dredging Machine has been sold under the authority of the resolution passed at the last Session, from the want of a proper assessment of lands in the five cents, after payment of claims, presented to me, State. The present mode of valuation, operates most was placed in the Treasury. The accounts of sale, unequally, the conscientious paying their full quota, and claims and expenses, are herewith submitted

I herewith send communications received from and Vice-President of the United States (marked F.) Since the close of the last Session of the General Assembly, I have received the resignation of Wm. Circuit, and Louis D. Henry, Esq. as a member of this communication.

File marked K. contains the resignations of Justices of the Peace, and Militia Officers.

From the State of Vermont, I have received a Map of that State, which, though sent some time

The proceedings had under the act authorizing given to public functionaries, as is compatible with the Cherokee lands, surveyed and unsold, will be hereafter made in separate communications; and Respectfully, your obedient servant. RICHARD D. SPAIGHT. Executive Department, 7 Nov. 23d, 1836.

eight turpentine distilleries, three steam grist-mills, a ship-yard, two tan-yards and a soap and candle factory. The place is well supplied with carpenters, blacksmiths, bakers, hatters, tailurs, shuemakers, &c.

Query 5th. "When was it settled?"

Answer.' Newbern was first settled in 1709, one hundred and twenty-seven years ago, by a colony of Palatines, or Germans, from Heidleburg on the Rhinese and its vicinity. The spot was called New Berne, out of compliment to Graf. fenried, the unworthy leader of the party, who was a native of Berne in Switzerland. Their first shelter, like that of most emigrants at that period, were temporary huts, erected on the spot where we now write, which they occupied till they should be formally put in possession of their promised lands. Graffenried and Cape Fear rivers, at twenty shillings the | Williams-24. hundred acres, and sixpence, annually, quit rent. Having thus secured the lands, Messrs. Baker, Bryan of Craven, Bunt. these men wished to make them produc- ing, Cowper, Cooper, Dobson, Esum, tive, by settling them, and they accor- Edwards, Fox, Hall, Hawkins, Houlder, ding agreed to transport to Carolina Hussey, Kerr, Lindsay, Marsteller, Meone hundred families, about 650 in number, who had sought refuge in England from irreligious persecution in their own country, promising to each 250 acres of land, to be held on easy terms. In December of the year above mentioned, the Palatines landed, as stated, at the confluence of the Neuse and Trent, and erected their temporary huts. But the ill fortune which, in their native country, had compelled them to seek the protection of Queen Anne of England, pursued them even here. Graffenried, in whose name the lands had been taken up, and with whom the confiding emigrants had deposited their money, returned to Europe without having given them a title to their respective settlements. He had, before eight hundred pounds sterling, and it passed to the heirs of that gentleman, who, at this day, retain a considerable portion of it. These unfortunate people

Polk form said committee on their part. their value may be fairly estimated at the sum of Mr. Morehead moved that the Senate ment; this will prevent a recurrence of the evil.-1728. Messrs. Courts and M'Rae were appoin-\$39,000 more, say \$238,200, which, with the Cash proceed to vote for Principal Clerk, and ted on the part of the Commons. Mr. on hand, amounting to \$3,845 09 makes \$242,045 09. The value of the latter Stocks cannot be properly es-Let it not be said it is a compromise, and ought not Query 6th. "What is the country ato be touched. Did the people authorize the comnominated for the appointment Thos. G. Courts subsequently reported that the timated, it depending upon what claims may still exround it?" promise ? It is but an act of Congress, which, like Stone. Mr. Barnet, moved that the name Answer. The country around Newbern Governor will make a communication to ist against those institutions. The advantages of the power. When it exacts from the people more of L. Holmes, and Mr. Dobson, that the is alluvial, being about 90 miles below the Legislature to-morrow at 12 o'clock. Education, and the benefits resulting from its genename of Jos. B. Hinton be added to the the primitive formations. The prevailthan is required for the expenses of the Government Oa motion of Mc. Clayton, ordered ral diffusion among the people, it would be unnecessanomination. On the second balloting shall it not be altered ? Shall it still remain, to take ing natural growth, as on all lands of like Thos. G. Stone was elected. that a message be sent to the Senate, lightened Legislature. It is for you to determine, from the earnings of their labor, to heap up a treasquality and similarly situated in eastern proposing to proceed to the election of whether in order to obtain the objects intended by SENATE. Mr. E. Jones moved that the Senate ure hereafter to be squandered and thrown away or Carolina, is the pine, a most profitable proceed to the election of Assistant Clerk, used to corrupt them? Or shall it be so modified by three Engrossing Clerks, &c. which mesnatural product in this State. Although and nominated for the appointment Jas. the creation of the fund, at as early a period as practheir Representatives, as to adapt it to the legitimate sage was concurred in by the Senate; ticable, without encroaching upon the principal, you the pine lauds predominate, there is a R. Dodge. On the motions of Messrs. expenses of the government ? The latter is the Rewhereupon the vote was taken in this will provide for its increase by the appropriation of sufficient portion of oak and hickory lands Fox and Burney, the names of N.O.Blake publican doctrine, and held as an axiom in every House for said Clerks, which resulted as matter may receive your mature deliberation, and the interspersed for all the purposes of agri- and Isaac Dockery were added to the nocommunity where the interest of the people is con sulted. culture, and the fertility of the poil, mination. The vote stood, for Dodge 33, people experience those great benefits, at an early when under the hands of the skillul far- Dockery 8, Blake 7. Mr. Dodge having John C. Stone 30, John Sanders 37, Jas. Under an act of the last session, being apprized of day, which the wisdom of our fathers ordained they mer, is abundantly evident in the rich a majority, was duly elected. should enjoy. sued writs of election. Not because I was satisfied products which it matures. Cotton, maize, J. Thomas 56, William Williamson 37, The fund for Internal Improvement amounts to that the law was valid, but knowing there was a On motion of Mr. Reid, Thos. B. Whee- Jos. B. Cheshire 24, J. B. Holden 1 .tee on Military Affairs. wheat, rye, beans, pease, melons, pump-der was appointed Door-keeper, and Green On comparing the vote of this House with ted to that object, which will be increased by the \$37,417 89, cash on hand, besides outstanding bonds | tribunal before whom the question might be settled, I preferred acting, and leaving to that tribunal its pears, peaches, &c., require only the ne-Resolutions .: that of the Senate, it appeared that Thos. decision. proceeds of the late sale of the Cherokee lands, surcessary culture to be produced in aban- adjourned until to morrow morning 10 ted, and that no other person in nomina-Before the Constitution was amended, the only veyed and not sold at former sales. The amount of tion had a majority of votes.

SENATE.

The members prevented their credentials, took the oaths prescribed for their qualification, (which were administered by Parker Rand, E-q.) and took their seats. Mr. Edwards moved that the Senate proceed to the election of Speaker, and nominated for that appointment W. D. Mosely, Esq. the Senator from Leneir county. On motion of Mr. Polk, the name of Hugh Waddell, Esq. the Senator from Orange, was added to the nomination. The Senate then proceeded to vote viva voce, which resulted in the election of Mr. Waddell. Vote : Waddell 24, Moseley 22.

Those who voted for Mr. Waddell. were Messrs. Albright, Barnet, Burney, Bryan, of Carteret and Jones, Carson, Davidson, Dockery, Gudger, Hargrove, Michell had previously covenanted with Joyner, Jones, Kelly, Montgomery, Moothe Lords Proprietors of Carolina for dy, Moye, Myers, Melcher, Morehead, 10,000 acres, between the Neuse and Moore, Polk, Redding, Spruill, Taylor,

> Those who voted for Mr. Moseley, were bane, M'Cormick, Reid, Reinhardt, Saunders, Whitaker-22.

Whereupon, the Speaker was conducted to the Chair ; from whence he made his acknowledgments to the Senate, in the following handsome and appropriate Address :

" Gentlemen of the Sanate :

To appear insensible to distinction is to incur the imputation of being unworthy of it Hence, custom has sanctioned a return of thanks from this Chair, by him who has been called to fill it. But I should be false to myself, were I not to declare, that the circumstances under which this selection has been made, are such as to demand a warmer acknowledgment of my obligations than is to be found in the forms of parliamentary etiquette. Little versed in legislative proceedings, and having never before heen a member of the Senate, such his departure, treacherously mortgaged selection was not to have been anticipated; and I the whole grant to Thomas Pollok, for am deeply sensible how much of that kindness Jordan, were appointed on the part of the community, but in almost every instance, to dewhich has placed me here, will be required to cover my errors.

The duties of your presiding officer must greatly depend upon the spirit of the Senate. That spirit may make them easy and even agreeable, as it may were, after a series of years, partly in- render them perplexing and painful. But actuated

SENATE. Tuesday, November 22.

On motion of Mr. James W. Bryan, ordered that a committee of five be appointed to prepare rules of order for the

government of the Senate during the present session, and that the rules of ast session be observed in the interim. Said committee consists of the following gentlemen, viz. Messrs. J. W. Bryan, Polk, Moseley, Edwards and Joyner.

The Senate proceeded to vote viva voce, in pursuance of agreement by the Lilly 25, Thomas 24, Stone 14, Wil- Patriot be gratified, or his fears realized. liamson 15, Cheshire 16, Saunders 10.

Joint Committees were appointed on Rules of order, and to wait upon the Governor, &c. the names of persons composing which may be found in the proceedings of the other House.

HOUSE OF COMMONS.

A message was received from the Sen ate, informing this Houstaof the organi zation of the Senate, and of their readi-Senate.

On motion of Mr. Fisher, ordered that persons on the part of each house, to pre-pare Rules of Order for the regulation of he intercourse between the two Houses the present session. A message wis'subsequently received from the Senate agreethat Messrs. Hall, Hawkins, Taylor, Moore and Carson, form their branch of the Committee; upon which Messrs. Fisher, Hoke, Graham, Hutchison, and D. the same prsons also form the Select Committee to prepare Rules of Order for the government of this House.

On motion of Mr. Courts, ordered that as this House must needs be, by an ardent zeal for demnified by a grant of 10.000 acres. free members on the part of each House. provide for its safety and return when demanded, but a message be sent to the Senate, propospublic welfare, and just entering, as we are, upon from quit rent for ten years, in consewould enable the State to use the interest accruing ing to raise a joint select committee of labors of more interest to the State than any which quence of their petition to King George twe on the part of each House, to wait act creating the Literary Fund, and providing for from it, either for the purpose of diffusing Educafor years have occupied the Legislature, I cannot tion among the people, or to some other object. A the first. Among the descendants of those upon his Excellency the Governor, in- its accumulation. That fund now consists of 1942 suffer myself to doubt, that the members will indicopy of the act (marked C.) is sent herewith. persecuted people who yet remain in the vidually bring to these labors, not only the diliform him of the due organization of both shares of the Capital Stock of the bank of the State The act of Congress of 1833, the result of a comneighborhood, we can trace but the names genc- which will ensure, but the courtesy which branches of the Legislature, and of their of North Carolina, 50 shares of that of the Bank of promise between Nullification and a Protecting Treaty from the Cherokee Indians. of Islar, Moor, Morris, Kinsey, Kehlar, will enlighten their performance. readiness to receive any communication Tariff, has produced a state of things heretofore un-Granade, Miller, and Simons. The ear-Animated by this hope, and relying with confi On motion of Mr. Fisher, he may see fit to make. A message from known in the annals of Government-so much revdence on your co-operation, I will endeavor to per liest legislative act which we find respectthe Senate concurring in this proposition, enue that Government cannot dispose of it, embarform the part your goodness has assigned me, with ing the laying out and promotion of the firmness and fidelity." be \$199,200, but as both of these Stocks are above and informing that Messrs. Edwards and par, selling at a premium, the first at a high one, rassing both it and the people. The proper remedy town, is dated 23rd November, (O. S.) is to reduce the Tariff to the wants of the Govern-

the Officers could be appointed. Since the close of the last session of the General Assembly, a Treaty has been concluded with the Cherokee Indians, by which, their title to the terrible tory now in their occupancy, has been extinguished ; a part of which territory, is the domain and property of this State: A copy of the Treaty (marked B.) accompanies this communication. *

The Congress of the United States, at its last session, passed an Act, entitled "an Act to regulate the deposites of the Public Money," which was appro-ved by the President of the United States, June 23d, 1836. This act stipulates that a portion of the treasure of the United States shall be deposited with

treasure of the United States shall be deposited with the States. Congress certainly possesses the power to provide for the safe-keeping of the public money; and as the language and the title of the Act only provide for such purpose it is constitutional. But if it is the intention of the Act, as it is avowed to be, by some of those most active in procuring its enact-ment, to distribute gratuitously the money, it would be unconstitutional, there being no power given to Con-gress, to make donations of the funds of the Federal gress, to make donations of the funds of the Federal the administration of justice and particularly in the Government ; or otherwise to dispose of them, than sixth Judicial District, with a proposition to print to carry into execution some other power granted .--It would be uncharitable in us to suppose that Congress, under the pretence of executing a Constitutional power, intended a direct violation of the instrument to which it owes its existence. We must therefore. consider the Act as being what it purports to be. The 13th Section of the Act requires the Secretary of the Treasury Department, at the times therein mentioned, to deposite with the States, the money of the Federal Government, the faith of the States being pledged for its return. The General Assembly will have to determine whether the deposite will be received; and if received, appoint some person to receive it, and provide for its safe-keeping. If you re- On motion of Mr. Williamson, ceive it, it would be your duty, in order to perform Resolved, that a message be sent to the Senate, disposition of it, as would enable the State to return it whenever demanded. The investment of the money, upon unquestionable security, would not only

Mr. Fisher, from the Committee raised for that purpose, reported Rules of Order for the Government of the House.

The House then proceeded to the appointment of the Standing Committees, as follows :

Committee on Claims .- Messrs. Rayner, Moye, Henry, Thomas, Braswell, Ward, J. F. Lee, Cool Maclin, Stockard, Cotten, Jefferson, Campbell.

Propositions and Grievances .- Massrs. Stallings, Smallwood, Kenan, D. Jordan, C. H. Matthews, Dunn, J. Matthews, Marshall, Howerton, N. J. King Brummell, Erwin, Courts.

Education .- Messrs. Hoskins, George, Gillespie Tuton, L. A. Gwyn, W. S. Harris, Faison, Neale, Gilliam, Graham, Crawford, Patton, Horton,

Agriculture .- Messrs, A. Perkins, Spiers, Sloan, W. Harris, W. A. Lea, Holland, Gee, Davis, Flem ing, Rand, Guthrie, Byrd, Nye.

Internal Improvement.-Messrs. Granberry, Farrow, Hill, McRae, Lindsay, Cansler, Gary, Howard, Blount, Gales, Fisher, J. W. Guinn, Petty.

Privileges and Elections,-Messrs. Pritchard Satterthaite, Averitt, McNeill, Simpson, Caldwell, Roebuck, Hartley, Hawkins, Williamson, W. B Lane, Smith, Loudermilk.

On motion of Mr. L. A. Gwyn, .

Resolved, that a message be sent to the Senate proposing to raise & joint select Committee, of five from each House, on so much of the Governor's message as relates to the passage of laws regulating the appointment of militia Officers, and that they re-port by bill or otherwise.

On motion of Mr. Hoke,

Resolved, that a message be sent to the Senate, proposing to thise a joint select Committee of four, on the part of each House, to whom shall be refer-red so much of the Governor's message as relates to the Memorial and papers referred to by the Governor in relation to the said Judicial District.

On motion of Mr. D. Jordan.

Resolved, that a message be sent to the Senate proposing that a joint select Committee, of five o the part of each House, be raised, to whom so much of the Governor's message as relates to the propos tion of the public revenue accruing to North Caroli na under the late act of Congress entitled the "De-posit Bill," shall be referred with instructions to report a bill accepting the same and providing in what manner the same can be most profitably invested.

ge as relates to the subject of Abolition and incendiary publications to a joint select Committee of five

On motion of Mr. J. A. Guinn,

Resolved, that a message be sent to the Senate. proposing to raise a joint select Committee of five, on the part of each House, on so much of the Governor's message at relates to the lands lately acquired by

Resolved, that a select Committee be appointed to examine the arrangements in this Hall for the accommodation of this House and ascertain if the same cannot be altered, so as to make the Hall more convenient for the purposes of legislatio The Speaker laid before the House a communication from Samuel F. Patterson, Public Treasurer. transmitting the annual report on the State of the Treasury. On motion of Mr. Clayton, ordered that it be sent to the Senate, with a proposition to print the same. [This Report shall appear in our next.] Thursday, Nov. 24. Mr. Polk, from the Select Committee on the subject, reported Rules of Order for the government of the Senate, which were read and concurred in. On motion of Mr. Marsteller, a Mesthe death of one of the members of the Senate, I is- sage was sent to the House of Commons, proposing to raise a Joint Select Commit-Mr. Edwards presented the following Resolved, by the General Assembly of North-Camode of supplying vacancies, in either House, was rolina, that the power to tax, is a trust created for the sales will be communicated to you as soon as the by writs of election issued by the direction of the the benefit of the people, and limited by the necesreport of the Commissioner is received. The fund House. A recent amendment to the Constitution sities of Government, and to call from the people, in is now too small to be applied to any work of mag- declares that writs may be issued by the Governor, the shape of taxes or duties, more money than is de-