

General Assembly.

[Abstract of such of the proceedings of the Legislature as we consider interesting to our readers.]

SENATE.

Thursday, Dec. 6.

The bill to authorize the County Courts of certain counties therein named, on petition, to appoint Commissioners to set off widows' dowers, to lay out, alter, or straighten roads, &c. was read the third time, and having been amended was put upon its passage—and was rejected.

On motion of Mr. Hogan, it was resolved, that to prevent frauds and corruptions in elections, that the committee on the judiciary be instructed to inquire into the expediency of so altering, amending or explaining the law touching and concerning the holding of elections, as to define clearly the powers of a sheriff holding elections, and inspectors appointed to superintend elections; also, to enquire when, and under what circumstances, a sheriff has a right to give a casting vote.

Friday, 7th.

Mr. Hawkins, from the joint select committee on military affairs, to whom was referred a resolution enquiring into the expediency of so amending the militia laws as to provide some general mode whereby volunteer companies may be incorporated, made a report thereon, expressing the opinion that it is inexpedient to legislate on the subject. Agreed to.

On motion of Mr. Simmons, it was resolved that the committee on the judiciary be instructed to inquire into the expediency of providing by law some limited time within which purchasers of property sold under execution shall obtain title.

Mr. Martin moved that the committee of the whole house, to which was referred the resolutions disapproving the doctrine of Nullification, and the policy of a Southern Convention, and the resolutions on the subjects of Nullification and the Tariff, and which were made the order of the day for this day, be discharged from the further consideration of said resolutions. Mr. Wilson moved that the further consideration of the order of the day upon the said resolutions be postponed until Friday next. Mr. Allen moved that the further consideration of the order of the day upon the said resolutions be postponed until the 15th of January next; which motion having precedence, Mr. Wilson moved that the said motion be laid on the table; which was agreed to—ayes 34, noes 27. The question then recurring on the motion of Mr. Wilson to postpone the further consideration of the order of the day on the said resolutions until Friday next, it was determined in the affirmative.

The bill to vest the right of electing the clerks of the County and Superior Courts, in the several counties within this State, in the free white men thereof, was read the second and third times, and ordered to be enrolled—ayes 43, noes 17. (Mr. Wilson in the negative. The bill contains no provision in favor of those clerks now in office.)

Saturday, 8th.

Mr. Seawell presented a bill to amend the 2d section of an act passed at the last session for the better regulation of the conduct of negroes, slaves and free negroes. Passed its first reading.

Mr. Seawell, from the committee on the judiciary, reported a bill more effectually to prevent litigation and to avoid suits at law. Read the first time.

Mr. Wellborn, from the select committee to whom was referred the bill to repeal the act passed in 1830, to compel Quakers, &c. to bear arms, reported the same with an amendment, having for its object the exemption of all Christians who have scruples on the subject of bearing arms. This amendment was agreed to, and the bill passed its second reading—32 to 23. (Mr. Wilson in the negative.)

The Speaker laid before the Senate, a communication from the Hon. Jos. J. Daniel, President of the Electoral College, setting forth the reasons which induced that body to decline the use of the Senate Hall, so politely tendered to them. [The reason assigned is that the act of 1815 requires the Electoral College to sit

in the city of Raleigh, and as the Government House is without the corporate limits of the city, the College did not think themselves authorized to sit there.]

Monday, 10th.

The bill to repeal the act of 1830, compelling Quakers, &c. to bear arms, was read the third time. Mr. Wilson moved an amendment which prevailed, making it the duty of militia captains to enrol Quakers, Moravians, &c. but exempting them from duty except in cases of invasion. The bill, as amended, then passed its third reading, and was ordered to be engrossed 34 to 27. (Mr. Wilson in the affirmative.)

On motion of Mr. Martin, the Senate resolved itself into a committee of the whole House, Mr. Wilson in the Chair, on the bill to establish the Bank of North Carolina; and after some time spent therein, the Speaker resumed the Chair, and Mr. Wilson reported the bill with sundry amendments, and recommended its passage into a law. Further amendments were made by the Senate, and on motion of Mr. Wilson, the further consideration of the bill was postponed until Wednesday, and with the amendments ordered to be printed.

Tuesday, 11th.

Mr. Wilson, from the committee of finance, whose duty it is made by law to examine the Report of the Public Treasurer, the Statement of the Comptroller, and in general, into the state and condition of the finances of the State, made a detailed and satisfactory Report thereon, which was sent to the House with a proposition to print.

Mr. Wilson submitted a resolution authorizing the Public Treasurer to adjust certain conflicting claims between the State and the Banks of Newbern and Cape Fear, growing out of the tax of one per cent. paid by those institutions to the State, on the stock held by the President and Directors of the Literary Fund. A full statement of the merits of this controversy appeared in the Annual Report of the Public Treasurer, at the commencement of the session.

Wednesday, 12th.

The bill to amend the 2d section of the act of last session, for the better regulation of the conduct of negroes, slaves and free persons of color, was read the third time, passed, and ordered to be engrossed.

HOUSE OF COMMONS.

Thursday, Dec. 6.

Mr. McLaurin presented a bill to exempt teachers and students of literary schools from militia duty. Passed its first reading.

It being now 12 o'clock, David L. Swain, the Governor elect for the ensuing year, attended by the joint select committee heretofore appointed, waited upon the General Assembly, both branches being assembled in the Commons Hall, and took and subscribed the several oaths of office, prescribed by law for his qualification; the oaths having been administered by the Hon. Joseph J. Daniel, one of the Judges of the Superior Courts.

Friday, 7th.

Mr. Bragg presented a bill to amend an act passed in 1813, concerning the Supreme Court. (Provides that two Judges may hold the Court and decide causes where they may concur in opinion.) Passed its first reading.

Mr. Brower presented a resolution instructing the committee on the judiciary to inquire into the expediency of so regulating sales under execution as to allow lands to be sold upon a credit by instalments; such regulation not to interfere with the enforcing of any contract already made. Rejected.

The bill defining and limiting the power of Courts in inflicting punishment for contempts, was read the second time and rejected—ayes 48, noes 73.

Saturday, 8th.

Mr. Thomas presented a resolution, instructing the judiciary committee to inquire into the propriety of extending the laws forbidding gaming, so as to prevent persons playing at other places as well as Houses of Entertainment. Rejected.

The "Homestead bill" was read the second time and indefinitely postponed—

70 to 51. (Messrs. Little and Potts in the affirmative.)

Monday, 10th.

Mr. O'Brien presented the petition, &c. of the Portsmouth and Roanoke Rail Road Company, asking the passage of an act authorizing the extension of their contemplated Road within the limits of this State. Referred.

Mr. Shepard presented a bill concerning charities. (Provides that where a bequest is made for charitable purposes, the persons to whom it is confided shall render a full account of the property so bequeathed to the Clerk of the County Court. Provides a remedy also, where such property may be mismanaged.)

Mr. Guthrie, a bill to authorize County Courts to license slaves and free negroes to preach, pray, or exhort in public, in certain cases.

Tuesday, 11th.

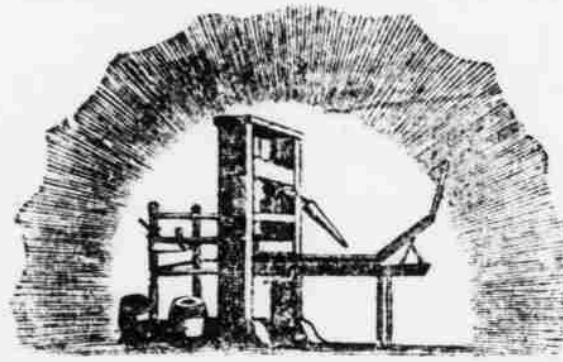
On motion of Mr. Park, the committee of internal improvements were instructed to inquire into the expediency of amending the road laws, so that no white citizen shall be compelled to work more than eight days in the year on any road; and if with this amount of labor the roads cannot be kept in repair, then to provide that such road shall be kept in repair out of the funds of the State.

The bill to repeal an act passed in 1830, to prohibit the circulation in this State of notes of other States, under the denomination of \$5, was read the second time and indefinitely postponed—70 to 54. (Messrs. Little and Potts in the affirmative.)

Wednesday, 12th.

The bill to extend the provisions of an act passed in the year 1830, to prohibit the circulation of notes of other States, within this State, under \$5, was received from the Senate and read, and indefinitely postponed.

The engrossed bill to repeal an act passed in 1830, to prohibit the circulation of notes of other States, within this State, under \$5, was received from the Senate, read, and indefinitely postponed.



TARBOROUGH:

TUESDAY, DECEMBER 18, 1832.

IMPORTANT DOCUMENT.

Dr. HALL, our Representative in Congress, has favored us with a copy of the President's Proclamation, relative to the Ordinance passed by the South Carolina Convention. We have repeatedly expressed our regret at the headlong course pursued by South Carolina, but in accordance with the opinions of Mr. Jefferson, as expressed in the Kentucky Resolutions, that the States individually are the proper judges of infractions of the Constitution, as well as the mode and measure of redress, we could not deny to her the right to nullify or secede, as the State in her sovereign capacity might determine. Nor could we comprehend the strength of the argument that admitted the right of a State to secede but not to nullify, and have expressed a preference for the latter over the former mode of redress. The question, however now assumes a different aspect, and as we conceive, merits the most profound consideration, especially of the Southern States. Fortunately, most of the Legislatures are now in session, and the subject can be immediately brought before them. The President, in the Proclamation before us, contends that the States have irrevocably parted with a portion of their sovereignty, that in so doing they constituted a nation, that as parts of that nation the States individually do not possess the right to nullify its laws or secede from it, and that any forcible resistance to the laws of the United States is treason, and consequently punishable as such. We have not space at present to insert the Proclamation, nor such portions of it as embrace the reasons assigned for arriving at the above conclusions, but will shortly do so—in the meantime we give the President's concluding opinions, and the course he declares it his intention to pursue:—

"I consider then that the power to annul a law of the United States, assumed by one State, incompatible with the existence of the Union, contradicted expressly by the letter of the Constitution,

unauthorized by its spirit, inconsistent with every principle on which it was founded, and destructive of the great object for which it was formed."

"The Constitution of the United States, then, forms a government, not a league; and whether it be formed by compact between the States, or in any other manner, its character is the same. It is a government in which all the people are represented, which operates directly on the people individually, and not upon the States: they retained all the power they did not grant. But each State having expressly parted with so many powers as to constitute jointly with the other States a single Nation, cannot from that period possess any right to secede, because such a secession does not break a league, but destroys the unity of a nation; and any injury to that unity is not only a breach which would result from a contravention of a compact, but it is an offence against the whole Union. To say that any State may at pleasure secede from the Union, is to say that the United States are not a nation; because it would be a solecism to contend that any part of a nation might dissolve its connexion with the other parts, to their injury or ruin, without committing any offence. Secession, like any other revolutionary act, may be morally justified by the extremity of oppression; but to call it a constitutional right is confounding the meaning of terms; and can only be done through gross error, or to deceive those who are willing to assert a right, but would pause before they made a revolution, or incur the penalties consequent on a failure."

"This, then, is the position in which we stand. A small majority of the citizens of one State in the Union have elected delegates to a State Convention: that Convention has ordained that all the revenue laws of the United States must be repealed, or that they are no longer a member of the Union. The Governor of that State has recommended to the Legislature the raising of an army to carry the secession into effect, and that he may be empowered to give clearances to vessels in the name of the State. No act of violent opposition to the laws has yet been committed, but such a state of things is hourly apprehended, and it is the intent of this instrument to PROCLAIM not only that the duty imposed on me by the Constitution "to take care that the laws be faithfully executed," shall be performed to the extent of the powers already vested in me by law, or of such others as the wisdom of Congress shall devise and entrust to me for that purpose; but to warn the citizens of South Carolina, who have been deluded into an opposition to the laws, of the danger they will incur by obedience to the illegal and disorganizing Ordinance of the Convention,—to exhort those who have refused to support it to persevere in their determination to uphold the Constitution and laws of their country, and to point out to all the perilous situation into which the good people of that State have been led,—and that the course they are urged to pursue is one of ruin and disgrace to the very State whose rights they affect to support.

"Fellow citizens of my native State!—let me not only admonish you, as the first Magistrate of our common country, not to incur the penalty of its laws, but use the influence that a Father would over his children whom he saw rushing to certain ruin. In that paternal language, with that paternal feeling, let me tell you, my countrymen, that you are deluded by men who are either deceived themselves, or wish to deceive you."

"The laws of the United States must be executed. I have no discretionary power on the subject—my duty is emphatically pronounced in the Constitution. Those who told you that you might peaceably prevent their execution, deceived you—they could not have been deceived themselves. They know that a forcible opposition could alone prevent the execution of the laws, and they know that such opposition must be repelled. Their object is disunion; but be not deceived by names; disunion, by armed force, is TREASON. Are you really ready to incur its guilt? If you are, on the heads of the instigators of the act be the dreadful consequences—on their heads be the dishon-