

## General Assembly.

[Abstract of such of the proceedings of the Legislature as are considered interesting to our readers.]

SENATE—Tuesday, Dec. 17.

On motion of Mr. Clayton, the committee on the Judiciary were instructed to inquire into the expediency of so amending the law of evidence, as to authorize the depositions of females, taken by two Justices of the Peace, by a commission issuing from the Clerk of the Superior or County Court, as the case may be, to be read in evidence in all civil causes.

The bill making appropriations for carrying on and completing the Capitol, was amended, on motion of Mr. Matthews, by adding a proviso, that the appropriation shall not exceed 75,000 dollars, read the second time and passed—ayes 50, noes 5. It was then read the third time, passed, and ordered to be engrossed.

HOUSE OF COMMONS.

Mr. Long presented a bill to incorporate the Halifax Rail Road Bridge Company. Read the first time.

On motion of Mr. Battle, the committee on Finance were instructed to enquire into the propriety of exempting from taxation all slaves now subject to taxation, who are permanently disabled from service.

Mr. Taylor submitted a resolution, instructing the Judiciary committee to enquire into the expediency of so amending the law relative to executions issued by a Justice of the Peace, that the time for which said execution shall remain good may be extended from three to six months; which was rejected.

The engrossed bill to erect a new county, by the name of Yancey, was read the third time, passed, and ordered to be enrolled—ayes 66, noes 65.

The bill to re-charter the Bank of Cape Fear was read the second time; when Mr. Daniel moved for its indefinite postponement; which motion was negatived by a vote of 93 to 33. Several amendments were proposed, which were rejected. The bill was then amended and passed its second reading.

SENATE—Wednesday, Dec. 18.

Mr. Mendenhall, from the committee on Education, made a report, accompanied by resolutions, declaring that, in the opinion of the Legislature, all the vacant and unappropriated marsh and swamp lands in this State, were, by the law passed in 1825, actually transferred, and do now belong to the Literary Fund of this State; and also authorising the President and Directors of the Literary Fund to expend of said fund any sum not exceeding \$30,000 in the draining of any of the vacant and unappropriated swamp lands belonging to said fund, which they may deem advisable. Which report and resolutions were laid on the table and ordered to be printed.

Mr. Hinton presented a resolution, directing the appointment of a select committee to enquire whether the Congressional Districts of the State cannot be so altered as to make them more nearly equal; and, if so, that they report a bill for that purpose, and prepare a table of the federal population of each district and county in the State; which was adopted. Messrs. Hinton, Spaight, Collins, Flowers and Moore were appointed the said committee.

The engrossed resolution authorising the Governor to cause tomb stones, at the public expense, to be placed over the graves of the members of the Legislature who shall die at the seat of Government, passed its two last readings, and was ordered to be enrolled—ayes 30, noes 27.

HOUSE OF COMMONS.

Mr. R. H. Alexander, from the committee on Education, to which was referred the bill to incorporate the Episcopal School of North Carolina, reported the same with sundry amendments; which were agreed to. The bill was further amended, and passed its second reading by a vote of 85 to 38.

Mr. Alexander also reported the bill to establish a Literary and Manual Labor School in Wake county, with several

amendments. Mr. Settle moved that the bill be indefinitely postponed. The question thereon was decided in the negative—ayes 32, noes 90. The bill then passed its third reading, and was ordered to be engrossed.

Mr. Outlaw, from the committee to which was referred the engrossed bill directing the sale of the lands remaining unsold, acquired by treaty from the Cherokee Indians, reported the same with an amendment; which was agreed to, and the bill was further amended, read the second time and passed.

Mr. J. W. Potts presented the petition of Martha Lawrence, praying to be divorced from her husband Arthur Lawrence. Referred.

Mr. Weaver, from the committee on Cherokee Lands, reported against the expediency of reducing the regular prices fixed on the Cherokee lands which have been surveyed, and subjecting the unsurveyed lands to entry; and also against the expediency of passing a law reserving to the State a portion of all gold and silver mines. Concurred in.

SENATE—Thursday, Dec. 19.

Mr. Sitton presented a bill reducing the salaries of the Supreme Court Judges, which passed its first reading.

HOUSE OF COMMONS.

Mr. J. W. Potts, from the committee on Propositions and Grievances, to which was referred the petition of Martha Lawrence praying for a divorce, reported unfavorably thereon. Concurred in.

The bill directing the manner in which Constables shall be appointed in this State, passed its second reading—ayes 74, noes 53.

On motion of Mr. Wilson, the committee on the Judiciary were instructed to enquire into the expediency of so amending the law relative to emancipation as to make it lawful for executors to send away, according to the will of the decedent, any negroes that may be liberated by said will, provided that it shall not interfere with the lawful and just claim of persons against the estate of said dec'd.

SENATE—Friday, Dec. 20.

Mr. Moye, of Pitt, presented a bill to alter the name of William Lawrence Cherry of the county of Pitt and to legitimate him. Read the first time.

The bill reducing the salaries of the Supreme Court Judges, was indefinitely postponed—ayes 38, noes 32.

HOUSE OF COMMONS.

Mr. Edmondston, from the select committee to which was referred the bill creating seven Judicial Circuits in the State, reported the same with an amendment. On motion of Mr. Long the proposed amendment was ordered to be printed and made the order of the day for Monday next.

The remainder of the sitting was occupied in the bill to establish a Bank on the funds of the State.

SENATE—Saturday, Dec. 21.

Jesse Cooper, the Senator elect from Martin county, vice David Latham dec'd, appeared and took the oaths of qualification.

Mr. Hogan presented a bill to establish a Bank in the State of North Carolina. [This is an exact copy of the bill introduced in the House of Commons, by Mr. M'Gehee.] Read the first time.

The engrossed bill to establish a Literary and Manual Labor Institution in Wake county, passed its third reading by the casting vote of the Speaker, and was ordered to be enrolled.

HOUSE OF COMMONS.

A message was received from the Governor, transmitting the annual Report of the Treasurer of the University of North Carolina. Ordered to be printed.

The House then proceeded to the consideration of the bill to establish the Bank of North Carolina.

SENATE—Monday, Dec. 16.

Mr. Beard presented a bill to provide for ascertaining the sense of the people of North Carolina relative to amending the Constitution of the State. Mr. Klutts, a bill to prevent betting on elections. These bills passed their first reading.

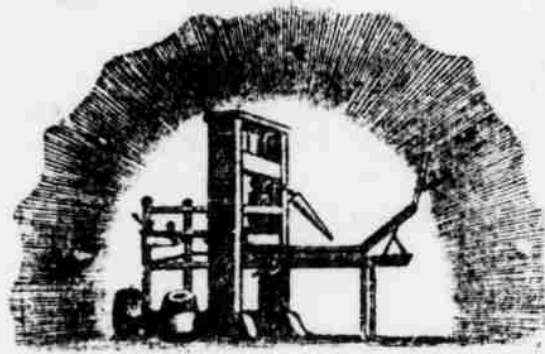
The remainder of the day was consu-

med in the consideration of the bill to establish a Bank in the State of North Carolina, to be owned conjointly by the State and individuals.

HOUSE OF COMMONS.

Mr. Jordan presented a bill to prevent the murdering or destroying bastard children. Read the first time.

The remainder of the sitting was occupied in the consideration of the bill to establish a Bank on the funds of the State; which was finally indefinitely postponed—ayes 73, noes 54.



## TARBOROUGH:

FRIDAY, DECEMBER 27, 1833.

In conformity with ancient usage we tender to our readers the compliments of the season, "a merry Christmas and plenty of 'em."

We have inserted several communications on our first page. Correspondents will bear in mind that to insure publicity for their effusions, it is requisite that they be accompanied by the author's name, or a responsible reference.

We learn that the late election for Senator, in Martin county, to supply the vacancy occasioned by the death of David Latham, resulted in a majority of 12 votes for Mr. Jesse Cooper. The poll stood: for Cooper 165, Wm. R. Bennett 153.

*Tarborough Female Academy.*—The semi-annual Examination of the students in this Institution took place on Tuesday last. We witnessed with pleasure the examination of several of the classes, and are happy to learn that throughout it gave the highest satisfaction to the Trustees and to the visitors, and that it fully sustained the merited reputation for ability and success in her vocation which the accomplished Preceptress has so long enjoyed.

In reply to our remarks on the subject of Internal Improvement last week, the Raleigh Register says that we are in our "notions about a century behind the spirit of the age." Will the worthy Editors of the Register inform us how far they think we are "behind the spirit" of North Carolina?

*Extract of a letter to the Editor, dated Raleigh, Dec. 24, 1833.*

Since my last the Legislature has been principally occupied in the consideration of the several propositions for the establishment of Banks. The plan reported by Mr. Fisher, for a Bank upon the funds of the State, was rejected yesterday in the House of Commons by a majority of 19. A debate of unusual animation and ability was had upon this subject, in which Messrs. Fisher, Daniel and Seawell engaged for the Bank and Messrs. Graham, Outlaw and Barringer against it. The debate turned mainly upon the constitutional question. Mr. Graham was extremely lucid and I think conclusive upon this part of the subject. He is a gentleman of high promise and will doubtless attain an elevated stand among the public men of North Carolina.

To-day Mr. Shepard's bill for establishing a Bank in the towns of Newbern and Edenton came up, and after some random discussion the House refused to postpone indefinitely. This bill will pass the House of Commons. Its fate in the Senate is doubtful.

Mr. M'Gehee's bill proposing a Central Bank with branches in such towns as may be determined on by the Directors has been under discussion for the last two days in the Senate. It is thought this bill will pass the Senate; but I cannot conjecture what reception it will meet in the House. The capital stock of this Bank is \$1,500,000; one-third of which is to be owned by the State, the residue by individuals. It has been projected, I understand by one of the most eminent financiers in the State, and from the best consideration I have been able to give the subject, it appears to me the plan best calculated to suit the moderate of all parties. However, as I have before intimated, it is idle to predict the result of any measure submitted to the Legislature of North Carolina. There are so many conflicting interests, so many miserable jealousies that are brought to bear upon every subject, that it is almost impossible to sustain any principle purely upon its merits. This is particularly manifest in the great reluctance exhibited by those interested in the mammoth scheme of Internal Improvement recommended by the Convention lately held in this city, to grant individual charters for Rail Roads in the northern parts of the State. The chimerical hope, of rearing a great seaport at Beaufort, is accompanied with a sort of horror whenever a proposition is

made to incorporate a Company for constructing a road which does not terminate at Beaufort or Wilmington. And if the enterprise which has been spoken of, of connecting Tarborough with the Petersburg or Portsmouth Rail Road were attempted, these exclusive North Carolinians I have little doubt would throw every obstacle in its way that ingenuity could suggest. I have as little doubt that stock in a Rail Road from Tarborough to some point in connection with one or the other of the Virginia roads, would be profitable to the holders—and that it would greatly facilitate the transportation of produce and thus directly increase its price is equally clear. Such is the uncertainty of your river that it is not fair to rely upon water transportation for more than half the year. Whatever accumulates in the summer and fall is either dead upon the hands of your merchants and farmers, or is to be taken off in wagons at a very heavy expense. The construction of this road would obviate this difficulty, and develop a great many resources of which the people of Edgecombe have been unable to avail themselves in consequence of the difficulty of getting to market.

Resolutions have been introduced in both branches of the Legislature recommending Robt. Potter to the clemency of the Executive—and in both were rejected by decisive majorities.

*Congress.*—Both Houses have been so far principally engaged with the removal of the Deposits and other matters relating to the Bank of the United States. In the Senate, on the 10th, Mr. Clay introduced a resolution calling on the President for the "paper relative to the deposits of the public money in the Treasury of the United States, under date the 15th day of September, 1833, purporting to have been read by him to the Heads of the several Departments." A debate of considerable length and warmth ensued with regard to the propriety of the call; after which, the resolution was adopted by a vote of 23 to 18. On the 12th, the President transmitted to the Senate a Message, declining to comply with their request—which was laid on the table. On the 19th, it was again brought forward by Mr. Mangum, Senator from this State, and disposed of as follows:—

Mr. MANGUM said, he rose with the most profound regret, and actuated only by a sense of duty, to call the attention of the House to the President's Message of the 12th instant, responding to a request which had been conveyed to him, the President, relative to a paper which purported to have been published by his authority. Next to the necessity of demanding from the President the authentication of that paper, he (Mr. Mangum) regretted that the task of bringing forward the matter upon the present occasion should have fallen upon him. The subject involved great and high matters, inasmuch as it touched the constitutional rights of the Senate, and called in question the high courtesy which had hitherto characterized the proceedings of that House; and the observance of which, was so necessary to the efficient action of the various departments. That the Senate should have attempted an invasion of the constitutional rights of the Executive, would be a subject of regret to every lover of the Constitution and of his country. That they had done this; that they had invaded the rights of the Executive, the President's message most unequivocally declared. The subject, therefore, required to be attentively reviewed, and deeply considered, in order that, if the Senate had done wrong, it might retract; that course would be due to the Executive. If, however, after a deliberate review of their conduct, the members of that House found that they had not in any way exceeded the rights accorded to them by the Constitution, it would then become them to maintain and pursue, with dignity and firmness the course which they had adopted. He (Mr. M.) was one of those who voted for the resolution which called upon the President to authenticate the paper. In the simplicity of his heart he had not dreamed that that resolution would have been considered an infringement of the rights of the Executive.

Mr. M. continued: he held that the question should be reconsidered calmly, and that each branch of the Government should claim its rights. The Senate, he said, could have no wish to invade the prerogatives of the President. Those who framed the Constitution saw the propriety of distributing power equally among the different departments of Government, and by that distribution they well understood how necessary for the preservation of our liberties was the perpetual guardianship of one over the other. As the Senate had no objects of ambition to gratify in an infringement of