

propitious than the present to the accomplishment of this object, I beg leave to press the subject again upon your attention.

Without some general and well defined principles ascertaining those objects of internal improvement to which the means of the nation may be constitutionally applied, it is obvious that the exercise of the power can never be satisfactory. Besides the danger to which it exposes Congress of making hasty appropriations to works of the character of which they may frequently be ignorant, it promotes a mischievous and corrupting influence upon elections, by holding out to the people the fallacious hope that the success of a certain candidate will make navigable their neighboring creek or river, bring commerce to their doors and increase the value of their property. It thus favors combinations to squander the treasure of the country upon a multitude of local objects, as fatal to just legislation as to the purity of public men.

If a system compatible with the Constitution can be devised, which is free from such tendencies, we should recollect that that instrument provides within itself the mode of its amendment; and that there is, therefore, no excuse for the assumption of doubtful powers by the General Government. If those which are clearly granted shall be found incompetent to the ends of its creation, it can at any time apply for their enlargement; and there is no probability that such an application, if founded on the public interest, will ever be refused. If the propriety of the proposed grant be not sufficiently apparent to command the assent of three-fourths of the States, the best possible reason why the power should not be assumed on doubtful authority is afforded; for if more than one-fourth of the States are unwilling to make the grant, its exercise will be productive of discontents which will far overbalance any advantages that could be derived from it. All must admit that there is nothing so worthy of the constant solicitude of this government, as the harmony and union of the people.

Being solemnly impressed with the conviction, that the extension of the power to make internal improvements beyond the limit I have suggested, even if it be deemed constitutional, is subversive of the best interests of our country, I earnestly recommend to Congress to refrain from its exercise, in doubtful cases, except in relation to improvements already begun, unless they shall first procure from the States such an amendment of the Constitution as will define its character and prescribe its bounds. If the States feel themselves competent to these objects, why should this Government wish to assume the power? If they do not, then they will not hesitate to make the grant. Both Governments are Governments of the people: improvements must be made with the money of the people; and if the money can be collected and applied by those more simple and economical political machines, the State Governments, it will unquestionably be safer and better for the people, than to add to the splendor, the patronage and the power of the General Government. But if the people of the several States think otherwise, they will amend the Constitution, and in their decision all ought cheerfully to acquiesce.

For a detailed and highly satisfactory view of the operations of the War Department, I refer you to the accompanying report of the Secretary of War.

[The President then gives a brief sketch of the recent campaign against the Sac and Fox Indians—states that the present militia system is defective and recommends a classification of the militia—refers to the transfer of the Indians from the eastern to the western side of the Mississippi, which has been steadily pursued, and is approaching its consummation—alludes to the Report of the Secretary of the Navy, and to the transactions of our navy—calls the attention of Congress to the views heretofore expressed in relation to the mode of choosing the President and Vice President of the U. States, and to those respecting the tenure of office generally—to the defects in the law for punishing official frauds, especially within the District of Columbia, and to the imperfections in the Judiciary system of the U. S. The Message then closes as follows:]

On many of the subjects to which your attention is invited in this communica-

tion, it is a source of gratification to reflect that the steps to be now adopted are uninfluenced by the embarrassments entailed upon the country by the wars through which it has passed. In regard to most of our great interests, we may consider ourselves as just starting in our career, and, after a salutary experience, about to fix upon a permanent basis the policy best calculated to promote the happiness of the people and facilitate their progress towards the most complete enjoyment of civil liberty. On an occasion so interesting and important in our history, and of such anxious concern to the friends of freedom throughout the world, it is our imperious duty to lay aside all selfish and local considerations, and be guided by a lofty spirit of devotion to the great principles on which our institutions are founded.

That this Government may be so administered as to preserve its efficiency in promoting and securing these general objects should be the only aim of our ambition; and we cannot, therefore, too carefully examine its structure, in order that we may not mistake its powers, or assume those which the people have reserved to themselves, or have preferred to assign to other agents. We should bear constantly in mind the fact, that the considerations which induced the framers of the Constitution to withhold from the General Government the power to regulate the great mass and business of the concerns of the people, have been fully justified by experience; and that it cannot now be doubted that the genius of all our institutions prescribes simplicity and economy as the characteristics of the reform which is yet to be effected in the present and future execution of the functions bestowed upon us by the Constitution.

Limited to a general superintending power to maintain peace at home and abroad, and to prescribe laws on a few subjects of general interest, not calculated to restrict human liberty, but to enforce human rights, this Government will find its strength and its glory in the faithful discharge of these plain and simple duties. Relieved by its protecting shield from the fear of war and the apprehension of oppression, the free enterprise of our citizens, aided by the State sovereignties, will work out improvements and ameliorations which cannot fail to demonstrate the great truth, that the people can govern themselves, is not only realized in our example, but that it is done by a machinery in government so simple and economical as scarcely to be felt. That the Almighty Ruler of the universe may so direct our deliberations, and overrule our acts as to make us instrumental in securing a result so dear to mankind, is my most earnest and sincere prayer.

ANDREW JACKSON.

December 4th, 1832.

## General Assembly.

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

SENATE.

Thursday, Dec. 13.

The Senate entered upon the consideration of the bill to establish the Bank of North Carolina. It was recommended to a committee of the whole House, Mr. Wilson in the chair, and sundry amendments were proposed to it and carried. On motion of Mr. Martin, the committee rose and recommended the passage of the bill, the second time, which was concurred in by the Senate, 39 to 22. (Mr. Wilson in the negative.)

Friday, 14th.

Mr. Hinton, from the committee appointed on that part of the Governor's message relating to the late James N. Forsyth, made a report, which was concurred in by the Senate, recommending that the amount due him by the State be deposited in the Public Treasury, until called for by his legal representatives.

The Senate then took up the Bank bill, to which sundry amendments were made, the most material of which was a reduction of the capital from three millions to one million eight hundred thousand dollars. Before any question was taken on the passage of the bill at its third reading, it was on motion, referred to a select committee for revision and correction.

Saturday, 15th.

The Senate took up the bill to amend the Judiciary system of the State, and after discussion, Mr. Morris moved for its indefinite postponement. Mr. Hinton moved that the bill be laid upon the table, which motion having precedence, was put and decided in the affirmative, 31 to 27.

Monday, 17th.

Mr. Wilson presented a petition from a Volunteer Company at Tarboro' praying an exemption from attending militia drills after having served for a period of five years in said company. Referred.

The Appropriation bill was received from the House, read the first time and made the order of the day for Thursday.

Tuesday, 18th.

Mr. Wilson, from the committee of finance, reported a bill to amend an act passed in 1831, to increase the liability of Sheriffs, and to provide more effectually for the collection of taxes. Read the first time.

Mr. Leake, from the joint select committee on the subject of a Convention, reported a bill providing for the call of a Convention for fixing on a seat of government for this State, which was read the first time. Mr. Wilson moved that the further consideration of the said bill be postponed until Thursday next, which was not agreed to. Mr. Collins moved that its further consideration be postponed indefinitely, which was agreed to, 34 to 26. (Mr. Wilson in the affirmative.)

Wednesday, 19th.

Mr. Williams, from the select committee on the subject, reported the Bank bill with sundry amendments, which were read and agreed to, and made the order of the day for Friday next.

The bill to alter and amend the Judiciary system of the State, was taken up and discussed. Messrs. Carson and Hinton advocated the bill and Mr. Wellborn opposed it. It was finally postponed indefinitely, 31 to 29.

HOUSE OF COMMONS.

Thursday, Dec. 13.

Mr. Burns submitted a series of resolutions, which were adopted, instructing the committee on military affairs to enquire 1st, As to the expediency of mounting a portion of the field pieces throughout the State, of the denomination of two, four and six pounders, and of procuring ammunition for the same, to be distributed at such places as said committee may recommend. 2d, To enquire into the causes which have produced such a diminution in the number of artillery companies. 3d, To enquire into the expediency of encouraging an augmentation of cavalry corps. 4th, To enquire into the expediency of encouraging uniform companies of infantry, of placing public arms in their possession, and of infusing more energy into the militia than they now possess, by placing them on a more efficient establishment. 5th, To enquire into the expediency of immediately procuring from the General Government our quota of cartridge boxes with belts for the same, with bayonet cases, pistol holsters, &c. that they may be ready for use when occasion requires them.

The bill to repeal the act exempting teachers of schools, &c. from mustering and working on roads, was indefinitely postponed.

The bill making an appropriation of \$50,000 and appointing commissioners to rebuild the Capitol on Union Square in the city of Raleigh, was read the second time and passed, 73 to 60. (Messrs. Little and Potts in the affirmative.)

Friday, 14th.

Mr. Wiseman presented a bill to exempt from execution a certain portion of the farming utensils and household and kitchen furniture of the citizens of this State. Passed its first reading.

The Appropriation bill was read the third time, passed, and ordered to be engrossed.

The bill to repeal the act to compel Quakers, &c. to bear arms or pay a tax, was indefinitely postponed, 70 to 59. (Messrs. Little & Potts in the affirmative.)

Saturday, 15th.

Mr. McCleese presented a bill to prevent the issuing of writs of *capias ad sa-*

*tisfaciendum* on judgments obtained before Justices of the Peace in the first instance. Read the first time.

Mr. McLeod moved that a proposition be sent to the Senate, to have printed for each member, ten copies of the President's Proclamation in relation to South Carolina. Mr. Pierce remarked, as that Proclamation set forth the doctrines maintained by the General Government, it would only be proper that it should be accompanied by an exposition of the grounds assumed by the States. He moved, therefore, to amend the proposition by adding the proceedings of the South Carolina Convention, recently transmitted to this House by the Governor. Mr. L. Thompson moved to add the 4th of July Oration of John Quincy Adams. Mr. Craige moved to subjoin the Alien and Sedition acts. And Mr. Outlaw moved to add the letter of John C. Calhoun recently addressed to Gov. Hamilton. These amendments, together with the original proposition, were rejected.

On motion of Mr. Daniel, it was resolved that the committee on the judiciary be instructed to enquire into the expediency of repealing so much of an "act to regulate retailers of spiritous liquors," passed at the last session, as authorizes the imprisonment of persons offending against said act.

On motion of Mr. Courts, the bill rejected yesterday, having for its object to exempt Quakers, &c. from the performance of militia duty, was re-considered, and on motion of Mr. G. A. Thompson, laid upon the table.

Monday, 17th.

Mr. Parke presented a bill making appropriations for public roads. (Provides that \$100,000 of the capital owned by the State in the several Banks, shall, when the affairs of said institutions are wound up, be divided amongst the several counties *pro rata*, for the purpose of improving the stage roads throughout the State.) Mr. Murray, a bill making the owners of dogs liable for the value of the sheep they kill. These bills passed their first reading.

Mr. Pearson, from the joint select committee on Convention, to whom had been referred sundry petitions and resolutions, made a detailed report upon the subject, accompanied by a bill to provide for taking the votes of the people for or against certain amendments to the Constitution. The said bill was read the first time, passed, and ordered to be printed, together with the report and accompanying documents.

Tuesday, 18th.

The Speaker laid before the House a communication from Joseph Gales, commissioner in relation to the collection of the old laws and journals, covering a letter from Isaac T. Avery, Esq. of Burke county, wherein Mr. A. tenders as a donation to the State a collection of rare and valuable English authorities. The communications were referred to the Library committee.

On motion of Mr. Spruill, it was resolved, that the committee on internal improvement be, and they are hereby instructed, to enquire into the expediency of draining the low lands belonging to the State in the counties of Tyrrell, Washington and Hyde; and further to enquire what would be an equitable contribution on the part of individuals for the privilege of draining their lands into any canal or canals which may be cut by the State.

The bill to erect out of a portion of the counties of Burke and Buncombe, a separate and distinct county by the name of Yancy, was read the second time and passed, 67 to 61. (Messrs. Little and Potts in the negative.)

Wednesday, 19th.

Mr. Barringer presented a bill to prevent the unlawful carrying away and removal of slaves from this State. Passed its first reading.

Mr. Parke presented a resolution, which was read and adopted, instructing the committee on education to enquire into the expediency of establishing a Working School in this State, upon the principle of the Fellenburg School at Hofwyl, Germany, and that they have leave to report by bill or otherwise.