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General Assembly OF NORTH-CAROLINA.

HOUSE OF COMMONS,
November 21.

The following Message was received from the Governor, by Mr. I. W. Guion, his Secretary:

To the Honorable the General Assembly of North-Carolina,

GENTLEMEN,
BEFORE I proceed to lay before you the several subjects which I have in contemplation to communicate, permit me to congratulate you, as a Body of Agriculturists coming from all parts of the State, that notwithstanding the excessive and alarming drought which we experienced during the latter part of the past summer, our crops, though comparatively light, will be found sufficient, if used with economy, to furnish a comfortable support for the people at large; and though the increased price of the necessaries of life may fall heavy upon a few, that general distress, which at one period was apprehended, will not, I trust, be felt.

In pursuance of the directions of the last General Assembly, I transmitted on the 18th December last, to his Excellency the Governor of South-Carolina, a copy of the act just then passed, entitled "An act appointing Commissioners to extend the Boundary Line of this State and the State of South-Carolina," the receipt of which was acknowledged by him the 17th March following; when it appeared that my communication was not received until after the Legislature of South-Carolina had risen. In this letter his Excellency states his intention of laying our act before their Legislature at their extra session to be held in May; but not having been favored with any communication from him since, it is presumed that the Legislature did not act on this subject at that session.

Soon after our last General Assembly rose, I received a letter from his Excellency the Governor of Georgia, enclosing an extract of an Act passed by the Legislature of that State on the 15th December last, making provisions for the ascertaining, running, and marking the Boundary Line between Georgia and North-Carolina. It appears that by the convention entered into between the United States and the State of Georgia, on the 24th April, 1802, that that part of the territory, ceded by South-Carolina, to the General Government, which lies west of the Blue Ridge of Mountains, and south of the southern boundaries of North-Carolina and Tennessee, was ceded to the State of Georgia. It is presumed this circumstance was not adverted to by the General Assembly of this State when the above act was passed; and had the Legislature of South-Carolina, at their May session, have taken up the subject and made provisions for co-operating with our Commissioners, and the Boundary Line between this State and South-Carolina, had been settled as far as her limits extend, I should have thought myself justified by the intention of the law in directing the Commissioners appointed under it, to have proceeded with the Commissioners which might have been appointed for the purpose by the State of Georgia, to have extended the line to the State of Tennessee.

But it appears from the letters which have passed between his Excellency the Governor of Georgia and myself on this subject (which with the extract of the law above alluded to, are herewith sent, marked (A) that if our Commissioners had met the Commissioners appointed by that State, nothing could have been done, on account of the Governor of Georgia's objections to the proviso in our Law, which states "that the extension of the line shall not affect the titles of any person or persons to the lands entered in either of the said States;" unless that proviso was agreed to by Georgia, I conceive no authority but the Legislature had a right to concede it. The Legislature will perceive the necessity of making provisions to adjust this matter with Georgia, as that harmony which ought to subsist between sister States, cannot be maintained without their limits accurately defined and marked.

A communication from his Excellency the Governor of the State of Tennessee, dated the 10th of August last, enclosing a copy of an Act of that State, ratifying and confirming the act of this State, passed by the last session of the General Assembly, authorizing the General Assembly to perfect titles to lands reserved to this State by the Cession Act; And another

letter dated the 8th October, inclosing a copy of an act of that State, authorizing the Court of Sevier county, to open a certain road therein mentioned, and to fix a turnpike or turnpikes thereon, are laid before you, marked (B). The law of this State of which the first mentioned act is confirmatory, did not receive the necessary assent of Congress at the last session; but it is probable that the subject will be again brought before Congress, and that a decision will be had thereon in time to be laid before you during the present session. In the law for opening a new road it will be observed, that a request is made that the Legislature of North-Carolina will co-operate with the States of Tennessee and Georgia, in effecting that part of it which passes through this State, which is estimated at about fourteen miles.

A letter from his Excellency the Governor of Massachusetts, dated the 22d of June last, inclosing certain Resolutions of the Legislature of that State, proposing an Amendment to the Constitution of the United States, accompanies this marked (C). A proposition of this nature will be thought deserving of the most serious consideration of the Legislature, and I make no doubt, will be acted on with that deliberation and caution its importance requires.

The Secretary of State of the United States, by a letter dated the 24th of September last, marked (D) certifies that the proposed Amendment to the Constitution of the United States, respecting the election of President and Vice-President of the United States, has been duly ratified by three-fourths of the States, and that it is therefore become a part of the Constitution.

An extract of a letter from the Solicitor-General of this State, dated the 10th of October last, respecting the trial and punishment of Slaves, and the present insufficiency of our laws, is submitted to your consideration, marked (E).

A letter dated December 16, 1803, was received from Ogden Holmes, of Georgia, immediately after the close of the last session of the Legislature, attesting himself to be the sole proprietor of the cotton gin, requesting that his letter might be laid before the General Assembly, and that the money payable by the State to Messrs. Miller and Whitney, might be suspended until the decision of a certain suit depending in the Federal Court respecting it.—The letter is now laid before the General Assembly, together with a copy of the patent granted to Miller and Whitney, and of that granted to said Ogden Holmes, marked (F) which I have obtained by means of Mr. Macon, one of our Representatives in Congress, for your information; and from a perusal of which, you will be able to form a correct opinion on the subject.

In the course of the summer I received 780 copies of the laws of the first session of the seventh Congress of the U. States for the use of this State, and I am lately advised by the Secretary of State, that he has directed 670 copies of the laws of the second session of the seventh Congress to be forwarded, as a part of those to which this State is entitled, which latter parcel I am informed has arrived at Newbern, and direction has been given for them to be forwarded to this place, and the receipt of them is expected in a few days; so that a double portion is now to be distributed. You will be advised in what manner they shall be apportioned, and by whom sent to the several counties.

The file marked (G) contains the letters of such militia officers and justices of the peace, as have resigned their appointments to me during the last recess of the Legislature.

Having nothing further at present to communicate, I might here close my address; but though I have no doubt that every measure calculated for the good of our common country, will occur to the General Assembly, I hope to be excused for mentioning two or three objects which appear to me particularly worthy of notice.

Perhaps it is altogether unnecessary for me to recommend to your consideration the improvement of our roads and inland navigation, as far as opportunity offers and our circumstances will allow. It would be equally so to speak of the importance of encouraging by every feasible means, the agriculture, commerce and manufactures of our country. But I would most especially call your attention to the subject of Education.

It is a truth founded on the experience of ages, that knowledge is one of the firm-

est pillars of national strength. And believing that nothing would tend more to the advancement of the character and respectability of this State, than a general diffusion of learning, I am desirous of seeing a plan of Education introduced, which shall extend itself to every corner of the State. It is true, that many very respectable Academies have been instituted in various parts of the State; but it is also true that several of them have failed for want of sufficient support, and others are in a languishing state. Since the prosperity and happiness of a nation depends so much on a proper education of its citizens, individual exertions ought to be seconded by public patronage. Were this the case, our Schools would be placed on a solid foundation, and the children of the poorest citizen might have access at least to necessary instruction. The best method of effecting this desirable end will be devised by the General Assembly. It cannot, I know, be accomplished without an addition to our revenue; but certainly every citizen will be willing and desirous of contributing towards an expense so well applied.

The United States having wisely determined not to maintain a large standing army in time of peace, but depend altogether on the Militia of our Nation for the defence of our liberty and property, it is therefore necessary that the people should be well provided with arms. Most of the States have entered into regulations for this purpose; but, as yet, nothing has been done on this head in North-Carolina. And the consequence is, that a great part of our citizens are without arms, or at least without such as would be effectual in a season of actual service. It is hoped the General Assembly will take this subject into consideration, and remedy a defect which ought not to exist among a people situated as we are.

In conclusion, Gentlemen, permit me to felicitate you on the prosperous and happy situation of our National Affairs. From the recent communication of the President of the United States, we learn, that the misunderstanding with Spain, which has for some time past occasioned a great degree of alarm throughout our country, is likely to be brought to an amicable termination; that our friend-

ship and intercourse with the nations of Europe are undisturbed; that the temporary Government of Louisiana has gone into effect; that a good understanding has been established with the Indians within our newly acquired territory; that an important relinquishment of native title has been received from the Delawares between the Wabash and Ohio; that our finances continue to fulfil every expectation raised respecting them; that our National Debt is greatly diminished; and that our present Revenue is sufficient for every purpose of Government, without any additional burthen on the People.—This certainly is a flattering representation, and its truth cannot be doubted.

There is every probability that the present chief magistrate of the United States will be re-elected, and that some person of similar political sentiments will be chosen Vice-President. If so, we may reasonably calculate on their conducting our concerns for the next four years, with the same wisdom, moderation and economy, which have distinguished the present Administration. It is the duty of our citizens at large, however, to be constantly on their guard that no encroachments be made on their rights; to be ever jealous of their privileges as Freeman; and to take care that the revenue paid for the support of Government, be not wastefully or improperly applied.

Favored as we are with the most excellent Government on Earth, it becomes us to be grateful to the Supreme Being for this inestimable blessing; and as the permanent felicity of Nations is wisely connected with their virtue, it is incumbent on every good citizen to exemplify in his own character, his respect for Religion and Morality, that our Free Government may be established on the only sure foundation.—PUBLIC ORDER.

JAMES TURNER.

November 22.

The Speaker laid before the House the representation and propositions of Wm. Boylan of the City of Raleigh, printer, which being read,

Resolved, That the Public Printing of the present Session be divided between Joseph Galer and William Boylan, and in order to prescribe the duties of each, a committee be appointed to bring in a bill to that effect.

A message was received from the Senate proposing to appoint a committee to prepare a bill for the equalizing the land tax, and appointing on their part Messrs. Willborn, Alexander, Lee, of Perdue, Williams, of Pitt, Montgomery and Allston; which the House of Commons agreed to, and appointed on their part, Messrs. Moore, Love, Allen, Thompson, Campbell, W. Williams, Whitehead, J. Jones, Sawyer, Nash, Fordham, French, Richardson, Knight and Brown.

November 23.

The Speaker laid before the House the letter of Joseph Galer, public printer; referred to the committee, to whom was referred the letter of William Boylan, printer.

Mr. M. Moore presented a bill to repeal an act, entitled "an act to repeal so much of the several laws now in force in this State, as grants power to the Trustees of the University of N. C. to seize & possess for the use of the said University, any reheated or confiscated property," read, sent to Senate and returned.

Mr. Nash presented a bill for the relief of those persons who are prevented from giving in evidence their Deeds, Bills of Sale and conveyances of their personal property, proved and registered under no law.

The bill to encourage inland navigation was referred to a joint committee of the two houses.

A committee from the two houses are appointed for the purpose of examining if any, and what alterations may be necessary, in our judiciary system; the committee consists of Messrs. Alexander, Hampton, Montgomery, R. Cochran, Nash, Cherry, of Bertie, Lowrie, Peatton and Painter.

November 24.

The balloting for Senator of the United States is to take place on Tuesday; Mr. Jeffe Franklin was nominated.

Mr. Brown presented a bill to amend an act entitled "an act concerning proving wills and granting letters of administration, and to prevent frauds in the management of intestate estates," passed in 1789.

The University bill is laid over until Monday week.

NEW-YORK, Nov. 9.

We learn by the ship Cleve, from Cadiz, that more than thirty thousand human beings had fallen victims at Malaga to the yellow fever, which in its destructive progress had reached Gibraltar and Cadiz. At the latter place from seventy to eighty persons died daily; and the port of Gibraltar was shut against vessels from every quarter.

The United States' frigate Essex touched at Cadiz about a week before the sailing of the Cleve, to obtain information respecting some Moorish vessels which had departed for Lisbon; but she returned to her station on finding they went there only to be copped.

The hero of Hohenlinden, the brave MOREAU, remained at Cadiz. One of his servants was ill of the fever. The warrior and his family, it was rumored, intended to remove from Cadiz to Coruna, if permission could be obtained. The attachment of Madame Moreau had terminated in the birth of a daughter; and as the situation of his lady was the principal object which retarded the embarkation of the General, this illustrious man may be shortly expected in the U. States.

By an arrival at this place, London papers are received to the 27th of September. The Russian charge d'affaires had left Paris. The minister of Sweden had been directed to leave Paris within six days. The French minister at the Russian court had been ordered to leave Petersburg immediately. An insurrection had taken place at or near Bilbao in Spain, and 20,000 men had entrenched themselves to resist the commands of the Spanish government.

A London print of the 24th of September observes "Letters from Spain, with the last Lisbon mail, mention, that after the arrival of a courier from Admiral Graviña, the Ambassador of his Catholic Majesty in France, the Cabinet of Madrid ordered the equipment of some ships of the line and some frigates; Bonaparte insisting that the blockade of his ports by a British Squadron is an infraction upon the neutrality of Spain. It is believed those Spanish ships now are destined to serve as convoy to the French and Dutch ships at Ferrol, or rather to augment their number; and in case they are attacked, such an act will be regarded as a declaration of war on the part of Spain.