

Western Carolinian.

It is even wise to abstain from laws, which however wise and good in themselves, have the semblance of inequality which find no response in the heart of the citizen, and which will be evaded with little remorse. Dr. Channing.

BY BURTON CRAIG.

SALISBURY, ROWAN COUNTY, N. C., MONDAY DECEMBER 3, 1832.

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TERMS

The WESTERN CAROLINIAN is published once a week at two dollars per annum, if paid within three months; or two dollars and fifty cents, if paid at any other time within the year. No Paper will be discontinued until all arrearages are paid, unless at the Editor's discretion. No subscription will be received for a less time than one year.

A failure to notify the Editor of a wish to discontinue, one month before the expiration of a year, will be considered as a new engagement.

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All letters addressed to the Editor must be post paid or they will not be attended to.

These terms will be strictly adhered to.

GOVERNOR'S MESSAGE.

To the Honorable the General Assembly of the State of North Carolina: GENTLEMEN—

The meeting of the Representatives of Freemen, in all Counties where Freedom exist, is at all times an interesting spectacle; and when it is considered that they come from their homes—

from their fire sides, and relinquish the comforts of domestic life to attend to their public duties:—When they make great sacrifices of time, and of their private concerns, punctuated by no other motive than the public good;—claiming nor expecting no other reward than that of an approving conscience; it is not an easy task properly to estimate the sum of gratitude which is due from the People to their faithful Representatives. On the present occasion, suffer me to congratulate you upon the appearance of general prosperity in the State, and for the enjoyment of a common share of health by its citizens at a time when other portions of the world have been visited by a most afflictive and malignant pestilence.

For these blessings of health and prosperity, we have reason to be thankful to Almighty God. And it gives us just cause to rely with confidence upon His continued mercy in averting the calamities which threaten the peace and harmony of our beloved country. For it is not to be denied nor disguised from ourselves, that the measures recommended by an excited portion of the Southern people, if persisted in, must have a tendency to weaken the ties which have heretofore so happily united us together as a nation. Whatever may be the issue of this struggle, I rejoice that the People of North Carolina have wisely avoided any interference calculated to disturb the public tranquility. It is in vain that we look for perfection in any human institutions: An overruling Providence has ordained it to be otherwise:—But so far as we have been taught by the experience of nearly fifty years under our present form of Government, we have had reason to be satisfied with it; and it is hoped that we shall cling to the Union of the States as now connected, without adventuring upon hazardous experiments to change the terms of that connection.

Having been appointed by the President of the United States, a Commissioner to treat with the Indians, and for other purposes, I have thought it my duty to accept the appointment, inasmuch as the peaceful settlement and location of the Indians removing beyond the Mississippi is a matter of great importance to the United States, and not less so to North Carolina; especially as regards the removal of that portion of the Cherokee nation now residing within the limits of this State. It is known to many of you, that these Indians have for a long time been orderly and peaceable, and their conduct has not made it necessary for the Legislature of North Carolina to extend the laws of the State over the Territory they occupy, or in any manner to interfere with their concerns, except for the purposes of protection:—They desire the fostering care of the General Government, and I have no doubt will receive it.

In retiring from the duties of my station, it has been my earnest desire and intention, that no part of the business committed to my care by the Legislature, should be neglected; and it is believed, that my retirement at this time, will cause no inconvenience in any department of the Government. With this determination, I have devoted my whole time and exerted my feeble talents in promoting, and secured such special objects as the Legislature, by Resolution or otherwise, has directed. Under these circumstances, I have deemed it inexpedient & unnecessary to offer any general recommendations for your consideration, confining myself to the task of rendering you a faithful account of the manner in which I have executed the trusts confided to me.

A Resolution of the General Assembly directed that a contract should be made with Mr. Ball Hughes for the restoration of the Statue of Washington, upon the basis of the principles set forth in the Report of the joint select Committee on that subject. In obedience to this Resolution,

a written contract was made with Mr. Hughes, and some time in May last, he commenced the undertaking, and so far as I was able to judge, in a manner conformable to the principles laid down in the Report. Being desirous of removing his family and materials to this place, he returned to New York about the first of July under an express promise to return and prosecute the work in fifteen days. With a confident reliance upon this promise, and to facilitate the speedy removal of his family, his workmen and materials, a sum of money was advanced, perhaps beyond the portion of labor done according to the terms of the contract. Owing, however, to a sudden illness, he was unable to fulfill his promise, and he removed with his family to New Jersey, and has not returned to North Carolina. He has since requested that the moulds and casts for the repair of the Statue should be forwarded to New York, where he intended to prosecute the work. I thought proper to forbid the removal of any thing pertaining to the Statue, as the contract requires that the repairs shall be made at Raleigh. The contract, together with the letters of Mr. Hughes, are herewith submitted.

A Resolution of the General Assembly directs, that all the Maps, Drafts and Plans, lately in the possession of the Engineer of this State, shall be placed in the Executive Office, and that they be repaired at the expense of the State, and be kept under the direction of the Governor, subject to the further disposition of the General Assembly. This duty has been performed, and the Maps, Drafts and Plans have been repaired, and are securely deposited in the Executive Office.

The Resolution directing the employment of an agent to arrange in proper order all the papers belonging to the Senate and House of Commons, and others, which were saved during the combustion of the State House, and that they be delivered to the proper Officers of the State, has been complied with, so far as the assorting arrangement; but owing to the want of sufficient cases, and shelves in the Government House, to hold the papers belonging to the Senate and House of Commons, they have been carefully labelled and filed in a room in the Office of the Secretary of State, subject to such disposition as the General Assembly may hereafter make. This arrangement was a laborious one, and has been faithfully performed by my private Secretary, Mr. William R. Hill, the former Librarian of the State.

The Acts of Assembly establishing rail roads, have been attended to. Considerable delay occurred in procuring an Engineer to make the surveys required. The services of Mr. Francis W. Rawls, of Pennsylvania, were at last obtained, and he has been engaged in the survey of both Routes, which it is hoped will prove satisfactory. As soon as the surveys are completed, a particular Report on that subject, as well as on other objects which engaged the attention of the Board of Internal Improvements, will be laid before you, by the remaining members of the Board.

Pursuant to the Resolution directing the State to be secured in such manner as to preserve it from ruin. I gave directions for Captain Blaney, in whose possession it was, to deliver it to Gen. Edward B. Dudley of Wilmington, for the purpose of having it secured. On examination it was found that the Vessel containing the Machine was so much decayed as to be unfit for use; that the machine itself was greatly injured; and that it would cost the State a considerable sum of money to have it taken to pieces and stored in safety. In the opinion of many persons, the cost would be more than the Machine was worth. Under these circumstances, I have directed it to be delivered to the Cape Fear Navigation Company, in which the State is much interested; and their Agent has engaged that it shall be taken care of.

The Resolution directing the appointment of some intelligent person to act on the part of the State, collecting testimony, and causing such surveys as may be necessary to the just prosecution of the suit pending in the Supreme Court in the name of the Attorney General for vacating certain grants made by this State, has been attended to, and I have appointed for this purpose, Thomas Dew of Raleigh, in whose integrity and capacity I have the most perfect reliance.

With respect to the Resolution in favor of the Sisters of the full blood of James N. Forsythe, I have felt myself somewhat at a loss how to proceed. No claim has been made for the money, nor do I know where the family resides. I have not made the transfer of the Shares to the State as directed by the Resolution, inasmuch as, in my absence, there was no person authorized to receive and pay away the money appropriated for the said four Shares. I have therefore left the Shares as they were, and have deposited in the State Bank, the money placed in my hands

as Guardian, ex officio, of James N. Forsythe, amounting to 174 dollars 50 cents. This money is subject to the draft of my successor in Office. The Certificate of Stock of the four shares, is left in the hands of the Public Treasurer.

The Resolution requiring the Governor to appoint some person resident in the City of Raleigh, who shall correspond with different persons in this State for the purpose of procuring copies of the Acts and Journals of the General Assembly, to replace those destroyed by the burning of the State House and Public Library, has been attended to; and Mr. Joseph Giles, of Raleigh, has been appointed for that purpose. The progress he has made in performing the duty required, shows that the business could not have been placed in better hands.

The Resolution requiring the Governor to make application to the proper authorities of the United States for as many Pistols and Sabres as may be necessary to supply such troops of Cavalry as are now organized or are about to be organized, within this State, has been complied with, and one thousand pair of pistols and five hundred sabres have been received from the United States, as part of this State's quota of public arms. They have been partly distributed agreeably to the law on that subject, and the remainder are in the Arsenal at Fayetteville.

In obedience to the Resolution directing the Mathematical Instruments belonging to the State, and formerly attached to the Engineer's Department, to be collected and placed under the care of D. H. Bingham, of the City of Raleigh, an order was issued to that effect, and many of the Instruments are now in the hands of Mr. Bingham. It is to be regretted that they were much injured before they came into his possession, and some of them rendered unfit for use without repairs. A list of those collected, is herewith furnished.

Since the adjournment of the Legislature, I have received from the Secretary of State of the United States, a number of copies of the Acts of the second Session of the twenty first Congress, which are in the Executive Office, subject to your order for their distribution. I have also received from the same source, three copies of the "Fifth Census, or enumeration of the inhabitants of the United States, taken in 1830, to which is prefixed a Schedule of the whole number of persons within the several districts of the United States, taken according to the Acts of Congress of 1792, 1800, 1810 and 1820," one for the Executive Office, and one for each House of the General Assembly. This is a valuable Document, and will be delivered to you by my private Secretary, with this Message.

An elegant Map and Atlas, with statistical views of the State of Maine, has by the direction of the Legislature of that State, been presented to North Carolina; and I beg leave to recommend that a similar donation be made in return, as soon as the new Map of this State is completed.

I have received communications from the Governors and Legislatures of several States, which I am required to lay before you. Those from Massachusetts, relate to the unsettled question of the North Eastern Boundary of the United States. Those from Tennessee, relate to the subject of the Public Lands of the U. States; and to the powers of the General Government to make appropriations for Internal Improvements; and approving the conduct of the President of the United States in placing his veto on the Lexington and Maryville Turnpike Road Bill. Those from Louisiana, relate to the establishment of a Rail Road from New Orleans, to pass through the States of Louisiana, Mississippi, Tennessee, Alabama, North Carolina and Virginia, to the City of Washington. The Resignations of Militia Officers and Justices of the Peace, received since the adjournment of the General Assembly, are laid before you in the file marked A.

In this last act of my political relations with the State of North Carolina, I should be ungrateful in withholding the expression of my unfeigned thanks for the many testimonies of confidence and support which I have received from the Legislature and from the people, in the course of a public life of forty seven years spent in their service, in various stations: In all of which I have received the most unequivocal proofs of their indulgence.

I have the honor to be, Gentlemen, your obedient servant.

MONTFORT STOKES.
Executive Office, N. Carolina,
November 19, 1832.

GENERAL ASSEMBLY.
Monday, Nov. 19, 1832.

This being the day appointed by law for the meeting of the General Assembly of North Carolina, both Houses assembled at the Government House at 2 o'clock.

SENATE.
Monday, Nov. 19, 1832.

A quorum, consisting of a majority of the whole number being present, Mr. Williams moved that the Senate do now proceed to the choice of Speaker, without making any nomination for that appointment; which motion was agreed to. A balloting therefore took place, Messrs. Williams and

Montgomery of Orange being appointed tellers, on motion of Mr. Spaight, to conduct. On counting the ballots, Mr. Williams reported that no person had received a majority of the votes; in which the Senate concurred. Mr. Williams thereupon moved that the Senate proceed to another balloting for Speaker, which was agreed to, and the same tellers appointed to conduct it. On counting the ballots, Mr. Williams reported that Wm. D. Moseley, Esq. the Senator from the county of Lenoir, had received a majority of the whole number of votes, and was duly elected. Whereupon on motion of Mr. Skinner, Mr. Montgomery of Orange conducted the Speaker elect to the Chair; from whence he made his acknowledgments to the House, in an appropriate address.

On motion of Mr. Matthews, Samuel F. Patterson was appointed principal clerk, and Wm. J. Cowan, Clerk assistant.

On motion of Mr. Vanhook, Thos. B. Wheeler was appointed principal Door Keeper, and Green Hill assistant Door Keeper of the Senate.

On motion of Mr. Montgomery, of Hertford, ordered that a message be sent to the House of Commons, informing that House, that the Senate is duly organized, and ready to proceed on Public Business.

Tuesday, Nov. 20.

On motion of Mr. Spaight, ordered that a committee of five persons be appointed to prepare rules of order for the government of the Senate during the present session. Messrs. Spaight, Toomer, Seawell, Wilson and Bailey were appointed to form said committee.

Jonathan Parker, the senator from the county of Guilford, appeared, produced his credentials, was qualified and took his seat.

On motion of Mr. Hawkins, ordered that the rules of the Senate of the last session of the Legislature, be rules of order and decorum for the government of the Senate during the present session, until the reception and adoption of the report of the committee appointed to prepare rules for that purpose.

A message was also received from the House of Commons, proposing that the two houses ballot immediately for three Engrossing Clerks, and stating that Daniel Coleman, John W. Covington, Thos. G. Stone, Thos. L. West, and Isaac C. Partridge are in nomination for the appointment; which proposition was agreed to, and Messrs. Martin and Montgomery of Hertford were appointed superintendants of the balloting on the part of the Senate; and the House of Commons was informed thereof by message: Whereupon a message was received from the House of Commons, stating that Messrs. Courts and Woolen attend the Senate, to conduct the balloting on the part of that House.

Received from the House of Commons a message, proposing that a joint select committee be appointed to wait on His Excellency the Governor, and inform him of the organization of the Legislature, and of its readiness to receive any communication he may think proper to make; and stating that Messrs. McLeod and Shepherd are appointed to form the committee on the part of that House; which proposition was agreed to, and Messrs. Williams and Hoke were appointed to form the committee on the part of the Senate, and the House of Commons was informed thereof by message.

Mr. Williams, from the committee appointed to wait on His Excellency the Governor, reported that the committee were authorized to state, that he would make a written communication to the Legislature on to-morrow at twelve o'clock.

Mr. Montgomery, of Hertford, from the committee appointed to conduct the balloting for three Engrossing Clerks, reported that Daniel Coleman, John W. Covington and Thomas G. Stone, having each received a majority of the whole number of votes were duly elected.

Wednesday, Nov. 21.

Gabriel T. Moore, the senator from the county of Stokes, appeared, produced his credentials, was qualified and took his seat.

On motion of Mr. Hawkins, Thos. W. Norman, senator from Granville, has leave of absence from the services of the Senate until Friday next.

Mr. Parker presented the petition of Henry Humphreys, of the county of Guilford, praying the Legislature to pass an Act exempting from taxation, for the term of fifteen years, a Cotton Factory, with the slaves thereon employed, together with the lands and appurtenances thereto belonging, situated in and near the town of Greensborough; which was read, and, on motion of Mr. Wellborn, ordered to be referred to a select committee. Messrs. Parker, Wellborn, Matthews, Skinner and Vanhook were appointed to form said committee.

Mr. Spaight, from the select committee appointed to prepare rules of order for the government of the Senate, during the present session, reported accordingly.

The following Standing Committees were appointed by the Senate:
Committee of Propositions and Grievances—Messrs. Montgomery, (of H) Matthews, Moseley, (of G) Kerr, Dobson, Hoke, Morris and Hussey.

Committee of Claims—Messrs. A. Kew, Hawkins, Harrison, Vanhook, Martin, M. Dowell, Howell and Simmons.

Of Privileges and Elections—Messrs. Bell, Eastham, Marshall, Moffit, Massey, Ray, Tyson and Hall.

Of Internal Improvements—Messrs. Dullock, Faison, Hinton, Norman, Allison, Britain, Lenke and Lamb.

On the Judiciary—Messrs. Bailey, Boddie, Spaight, Seawell, Hogan, Wellborn, Toomer and Melvin.

On Education and Literary Fund—Messrs. Cooper, Williams, Rhodes, Kerr, Parker, Parham, Guvin and Dishough.

On motion of Mr. Wellborn, a message was sent to the House of Commons, proposing to raise a joint select committee to revise the joint Rules of the two Houses.

HOUSE OF COMMONS.
Monday, November 19, 1832.

A quorum, consisting of a majority of the whole number, being present, Mr. Gwyn moved that Samuel T. Sawyer, the member elect from the town of Edenton, be appointed Speaker; and Mr. McMillan moved that Louis D. Henry, the member representing the town of Fayetteville, be added to the nomination. The house proceeded to ballot under the superintendence of Mr. Gwyn and Mr. McMillan, who upon counting the ballots, reported that Louis D. Henry had received a majority of the whole number of votes, and was duly elected. The house concurred in the report, and Mr. Henry was conducted to the chair by Mr. McMillan; from which he made his acknowledgments to the house in an appropriate address.

On motion of Mr. Clayton, Charles Manly was unanimously appointed Principal Clerk, and Edm. B. Freeman Clerk Assistant.

Mr. Hinton moved that Richard Roberts be appointed Door-keeper, which was agreed to, and Messrs. John Lumsden, John Cooke, John Cooper, Lewis Wilkinson, Thomas Parham, Ben. Jones, Willie H. Williams and Wm. Stokes were nominated for the appointment of Assistant Door-keeper. A balloting was then had, under the superintendence of Mr. Brazz and Mr. Hinton, who, upon counting the votes, reported that no person had received a majority of the whole number.

Tuesday, Nov. 20.

Zach Edmonston, one of the members elect from the county of Haywood, and Allen Peoples, and David Thompson, the representatives of the county of Guilford, appeared, produced their credentials, were qualified, and took their seats.

On motion of Mr. Sumner, it was resolved that a select committee of five members be appointed, by the Speaker to prepare & report rules for conducting the business of the house during the present session, & until such report be made & confirmed, that the rules adopted by the house at the last session be observed. Whereupon, the Speaker appointed Messrs. Sumner, Sawyer, Palk, Brazz and Pearson to compose said committee.

Mr. O'Brien from the committee appointed to conduct the balloting for Door-keeper, after three unsuccessful attempts at an election, reported that John Cooper was elected.

On motion of Mr. O'Brien, ordered that a message be sent to the Senate, informing them of the organization of this house, and of their readiness to cooperate with that body in the despatch of public business.

On motion of Mr. Gary, ordered that a message be sent to the Senate, proposing to ballot immediately for three engrossing clerks, and informing that David Coleman, Thos. G. Stone and John W. Covington are nominated for that appointment; the names of Isaac C. Partridge and Thos. L. West were, of motion, added to the nomination. A message from the Senate concurring in this proposition, and informing that Messrs. Montgomery, of Hertford and Martin form their balloting committee.

Ordered that the Senate be informed that Messrs. Wm. Weston and Courts form said committee on the part of the Commons.

On motion of Mr. McLeod, ordered that a message be sent to the Senate, proposing to raise a select joint committee, whose duty it shall be to wait upon His Excellency the Governor, and inform him of the organization of both branches of the Legislature, and of their readiness to receive any communication which he may see fit to make. Said committee, on the part of the Commons, consists of Messrs. McLeod and Shepherd. A message from the Senate concurring in this proposition of the house, and informing that Messrs. Williams and Hoke compose their committee.

Mr. Shepherd, from the select joint committee, appointed to carry into effect the foregoing order of the two Houses, reported that they had discharged their duty, and that he was authorized to say, that the Governor would on to-morrow at twelve o'clock, make a communication in writing to the General Assembly.

Mr. Courts, from the committee appointed to conduct the balloting for three engrossing clerks, reported that Daniel Coleman, John W. Covington, and Thos. G. Stone, had each received a majority of the

whole number of votes, and were duly elected.

Wednesday, Nov. 21.

David Outlaw, one of the members elect from the county of Bertie, and John D. Peoples, one of the members from the county of Cumberland, appeared, produced their credentials, were qualified and took their seats.

Mr. Graves submitted the following resolution, which, on motion of Mr. Brazz, was laid on the table:

Resolved, That the Speaker of this House be requested to assign seats within the Bar to one or more Stenographers.

Mr. Sumner, from the committee heretofore appointed to prepare rules of order for the government of the House, during the present session, reported accordingly. The following standing committees were appointed by the House, on this motion of Mr. Long:

Committee of Claims Frederick A. Sawyer, Henry S. Clark, George A. Thompson, Alexander Watson, Charles L. Hinton, Daniel M. Barringer, Wm. E. Emmit, Roderick P. Gary, Council Weston, John Brazz, Benj. Sottle, John S. Guthrie and Jacob Weaver.

Propositions & Grievances Jos. W. Townsend, Samuel B. Spruill, Joseph Gilispie, Moses W. Cuthbertson, Thos. G. Palk, Allen Peoples, John Bostwick, David Outlaw, Abner Hartley, George Boddie, Benj. Sumner, M. Abernathy, and A. Enloe.

Of Education: S. T. Sawyer, John W. Potts, T. Hill, U. McLaughlin, L. A. Gava, J. Doherty, D. W. Courts, J. R. I. Daniel, J. Harper, J. C. Ridley, T. G. Faddis, Hugh McQueen, Osmyan R. Irvin.

Agriculture: Thos. Titter, Thos. Jordan, J. I. McMillan, Wm. Wadsworth, David Thomas, Geo. Ury, T. Wicher, Chas. Geo. Jos. McLeod, A. A. Lancaster, Nat. G. Rand, Wm. Wiseman, and Alney Birgan.

Of Internal Improvements: John B. Jones, J. S. Norman, Arch. Mook, David McNeil, Philip Irton, Hy. Chandler, T. J. Ward, E. Thompson, D. W. Bortier, N. R. Tunstall, P. H. Mangum, Burton Craig, James Whitaker.

Privileges and Elections: J. H. Skinner, R. H. Bonner, J. D. Ward, P. M. Mook, J. F. Penderster, J. Hart, Geo. F. Davidson; J. L. O. Baker, P. Cronwell, Spencer O'Brien, Robt. Jones, A. Cunningham, and F. P. Glass.

Mr. Pearson presented the petition of R. H. Alexander, praying that the seat of Burton Craig, the sitting member from the town of Salisbury, be vacated, and that he, the petitioner, be permitted to qualify in his stead, and moved, that it be referred to the committee of Privileges and Elections.

TREASURERS REPORT.

The report of the Treasurer of this State, submitted to the Legislature shows that of the public, or unappropriated revenue and expenditures:—

The balance of cash remaining in the public Treasury on the 1st Nov. 1830, was \$69,750.91
The receipts, during the fiscal year, ending on the 1st Oct. 1831, amounts to 65,733.70
165,484.61
The disbursements during the same period 132,160.95

Which shows the balance remaining in the hands of the public Treasurer to be 33,323.66
The receipts at the Treasury from the 31st Oct. 1831 to 1st Nov. 1832, amounts to 61,509.43

Which with the balance above stated show an aggregate amount of 127,523.49
The disbursements at the Treasury for the same period amounts to 119,508.66

The balance of cash remaining in the hands of the public Treasurer 1st Nov. 1832 87,924.79

OF THE LITERARY FUND
There has been no expenditures from this fund during the year. The balance on hand 1st Nov. 1831 875,023.00
The rec'd up to 1st Nov. 1832 13,120.60

Making the balance on hand 888,143.60
OF THE AGRICULTURAL FUND.
The amount of cash received from all sources amt., to 523.30
The disbursements 93.49

Showing a balance unexpended of \$429.71
Which has been transferred to the Literary fund, showing an aggregate amt. of cash on hand belonging to that fund, on the 1st November, 1832, of \$488,586.32
OF THE FUND FOR INTERNAL IMPROVEMENT.
Balance on 31st Oct. 1831 87,944.10
Receipts from the 31st Oct. 1831 to 1st Nov. 1832 2,601.36
10,545.66