

Legislature of N. Carolina.

Monday Nov. 19, 1832.

In SENATE—A quorum being present, William D. Mosely, of Lenoir, was chosen Speaker; S. F. Patterson, of Wilkes, and W. J. Cowen were re-appointed Clerks; Thomas B. Wheeler and Wfeen Hill, Door-keepers.

In THE COMMONS—Louis D. Henry, of Fayetteville was appointed Speaker; Charles Manley of Raleigh, and Edmund B. Freeman of Halifax, Clerks, Richard Roberts of Raleigh, & John Cooper, of Stokes, Door-keepers.

Thursday Nov. 20.

In SENATE.—Messrs. Speight, Toomer, Seawell Wilson and Bailey were appointed a committee to prepare rules of order, for the government of the Senate.

HOUSE OF COMMONS.—Messrs. Sumner, Sawyer, Polk, Bragg and Pearson were appointed to prepare rules of order for the House Daniel L. Coleman, John W. Covington, Thomas G. Stone, Thos L. West and Isaac C. Patridge were nominated for Engraving, Clerks. On the first ballot, the three first named were elected. The vote was, Coleman 172, Covington 168, Stone 123, West 55, Patridge 34.

Wednesday, Nov. 21.

In SENATE.—Mr. Parker presented the petition of H. Humphreys, of Guilford, praying the Legislature to pass an Act exempting from taxation for the term of fifteen years, a Cotton Factory with the slaves therein employed, which was referred to a select committee.

HOUSE OF COMMONS.—The following communication was received from his Excellency, Gov. Stokes:

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 countries where freedom exists, is at all times an interesting spectacle; and when it is considered that they come from their homes—from their firesides, 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, prompted by no other motive than the public good; claiming no 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 their people to the 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 an uncommon share of health by its citizens, at a time when other portions of the world have been visited by a most afflicting malady. 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 fifteen 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 connexion.

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 peaceable 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 deserve 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 the success of such special objects as the Legislature, by Resolution or otherwise, has directed. Under these circumstances, I have deemed it inexpedient and unnecessary to offer any general recommendations for your considerations; 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. Of this, however I confess myself not a competent judge. The whole sum advanced to Mr. Hughes amounts to two thousand eight hundred dollars. Mr. Hughes finding, (as I understand from him) that sickness prevailed to an alarming extent in New York 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, 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 conflagration 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 and 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 filled in a room in the office of 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 difficulty and delay occurred in procuring an Engineer to make the surveys required. The services of Mr. Francis W. Rawle, 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 Dredging Machine belonging to the State to be secured in such a manner as to preserve it from ruin," I gave directions for Capt Blany, in whose possession it was, to deliver it to General 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 in 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 Devis Esquire, of Rutherford, in whose integrity and capability 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 reside. 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 one hundred and seventy-four dollars and fifty 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 securing 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 Gales, 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 States' 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 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 1790, 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 direction of the Legislature of that State been presented to the State of 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 requested to lay before you. Those from Massachusetts, relate to the unsettled question of the north eastern boundary of the U. States. Those from Tennessee relate to the power of the General Government to make appropriation for Internal Improvements, and approving the conduct of the President of the United States in placing his veto on the Lexington and Maysville 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 resignation 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.

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

Thursday Nov. 22.

In SENATE.—Mr. Martin presented the following resolutions, which were laid on the table and ordered to be printed:

Whereas questions of deep and vital importance to the future welfare of our common country, are under consideration in some of the Southern States; it is therefore believed to be the duty of this General Assembly, as the representatives of the free people of North Carolina, respectfully to make known our sentiments, and, as we believe, the sentiments of our constituents, on the present interesting crisis of our internal affairs.

Resolved, That this General Assembly continues to cherish a sacred attachment to the Constitution of the United States, and considers the advantages of the Federal Union, in sustaining our civil institutions, and perpetuating our liberties, to be incalculable: That we deprecate the doctrine of Nullification as founded on principles subversive of the Constitution, and as having a direct tendency, if practically enforced, to sever the bonds which now unite us together, as one great and powerful Republic.

Resolved further, That we still rely on the wisdom and integrity of the constituted authorities of the General Government, and confidently look to their patriotism for ultimate redress of all our real grievances; and as the States are prohibited by the Constitution from entering into alliances, compacts, or agreements among themselves, and being aware of the excitement and sectional feeling which already pervades the country to a fearful extent, this General Assembly, under existing circumstances, deprecates the policy of a Southern Convention.

Resolved, That the Governor be, and he is hereby requested to forward a copy of these Resolutions to the President of the United States, and to the Executive of each of the States of this Confederacy.

On motion of Mr. Montgomery, of Hertford, the committee on education were instructed to enquire into the expediency of establishing by law a Central school for the purpose of educating and preparing instructors of elementary schools for their profession. John L. Bailey Esq. was re-elected Solicitor in the 1st Judicial circuit.

HOUSE OF COMMONS.—On motion of Mr. Sumner, a message was sent to the Senate proposing to raise a joint select committee to enquire if any, and what, alterations are necessary to be made in the congressional Districts of the State under the last census and apportionment of representatives. Mr. Pearson submitted the following Resolution which was read, passed and sent to the Senate for concurrence:

Resolved unaniously by the Senate and House of Commons of the General Assembly of the State of North Carolina, that it is with feelings of profound regret they have received the intelligence of the death of Charles Carrol of Carrolton, the last of that band of patriots and sages who proclaimed the Independence of the United States of America, and pledged for its support, their lives, their fortunes and their sacred honor; and that this General Assembly with the people whom they represent, cherish a deep veneration for the virtues, the services and the character of the deceased, and sympathise with his family, his friends and his country in the bereavement which all have sustained.

Mr. Outlaw presented the petition of sundry citizens of Bertie county, asking that a law may be passed exempting Britton Jones, a free man of color from the operation of the laws prohibiting the migration of free negroes into this State; which was referred.

Friday Nov.

In SENATE.—Mr. Martin gave notice that, on Wednesday next, he should ask leave to introduce a Bill to establish a Bank, to be styled "The Bank of North Carolina."

HOUSE OF COMMONS.—On motion of Mr. Peebles, the Committee on the judiciary were instructed to enquire into the propriety of so amending the act of 1828, entitled an act to amend the law relative to the collection of debts from the estate of deceased persons, as to provide that the real estate shall be charged with the costs incurred in all suits against executors or administrators when the plea of fully administered is found in favor of the defendants.

Saturday Nov. 24.

In SENATE.—Mr. Hoke presented the petition of sundry citizens of Lincoln county, praying the passage of an act to divide the three Western Judicial circuits into four, and appoint an additional Judge. Referred to a select committee consisting of one from each Judicial District. Mr. Leak presented the following Resolutions which were ordered to lie on the table and be printed.

Whereas questions of deep and increasing importance now agitate some of our sister States, growing out of the exercise of powers which are supposed to belong

to the General Government) on the one hand, and of the rights which are said to appertain to the states on the other;—and whereas an expression of opinion on the part of this Legislature seems to be called for, and that silence may not be construed into a virtual acquiescence of the powers claimed for the General Government, nor yet as being indifferent to the consequences which necessarily flow from the enforcement of nullification—be it therefore Resolved, as the opinion of this Legislature, that while we disapprove the doctrine of Nullification as unconstitutional, violent and of a revolutionary tendency, we are nevertheless feelingly alive to the cause which has given rise to it.

Resolved further, that the powers which have been ceded by the States to the General Government were delegated in trust for the accomplishment of certain limited and defined objects, and that any exercise of those powers to foster manufactures directly, is viewed by this Legislature as a violation of the spirit of the Federal compact.

Resolved further, that while we deprecate the doctrine of Nullification as being wild and visionary in theory, dangerous and violent in practice, we at the same time cannot but consider a tariff of duties looking to protection (as does the present) as an unwarrantable assumption of power.

Resolved further, that we still rely on the wisdom and integrity of the constituted authorities of the general government, and confidently look to their patriotism and love of union for ultimate redress of all our grievances.

Resolved further, that we recognize in the Tariff of the 7th June 1832, a modification of duties, both in the gross and in the detail, and behold it as an entering wedge, which shall ultimately fritter down the duties to a revenue point.

Resolved further, that the Governor be, and he is hereby requested to forward a copy of these resolutions to the President of the United States, and to the Executive of each of the States of this confederacy.

The foregoing resolutions, with those introduced by Mr. Martin, were afterwards taken up, committed to a Committee of the whole House, and made the order of the day for Friday next.

HOUSE OF COMMONS.—Mr. O'Brien from the Committee on Privileges and Elections, to whom was referred the petition of A. H. Grandy contesting the right of Benj. C. Harrison, of Camden, to a seat, reported in favour of the sitting member. Mr. F. A. Sawyer presented a Bill to amend an act passed in the year 1821, entitled "an act to incorporate the Roanoke Inlet company"—and, Mr. Bonner, a bill fixing a uniform mode of assessment of the real estate with the improvements thereon. William Hill was re-elected Secretary of State.

A war in Europe will there be? At the last accounts the affairs of the low countries looked rather gloomy. If Holland and Belgium get a quarrelling it is more than probable a general flame will be lighted up throughout the continent. The two great parties by which Europe is now divided—the liberal and despotic can never arrange their differences—can never arrange their affairs without a desolating war of many years continuance. The spirit of these two parties is at war. They meet together in every field; they struggle; they oppose; they contest every inch of argument—every light of passion. No compromise will or can be made between them. One or the other must rule. The longer the final appeal to arms is delayed, the more deadly and destructive it will be. All former precedents will be discarded. The very art of war itself will be changed. The military tactics of Napoleon will be as much out of place—as foreign to the age—as those of Marlborough or Scanderberg. Science has brought a new element of war into being since the close of Napoleon's career. We mean steam power. [N. Y. Globe]

GLOBE—EXTRA.

Washington, November 16, 1832.

ELECTORAL ELECTIONS.

NEW HAMPSHIRE.
Jackson Majority, 5,917. Eight towns remain to be heard from, which last March gave Dinsmore (Jackson) 775—Bartlett (Clay) 326.

KENTUCKY.
Anti-Jackson majority, 5,369.

INDIANA.
Jackson majority, 1,230.
Returns from all the towns but five in Connecticut, give the following result of the late electoral contest:—Clay, 17,518; Jackson, 1,141. Wirt, 3,335.

An extra from the office of the Delaware Gazette & Watchman, gives the following majorities; as the result of the election in that State:—

Jackson,	CLAY.
New Castle, 458,	
Kent,	101
Sussex,	299
	458
	400

The extra further states that the Jackson party have elected their Governor and Congressmen, a result as unexpected as it is unprecedented.