

**Legislature of North-Carolina.**

We stated in a small part of our last week's impression, the convening of the Members—That Alexander Martin, Esq. of Rockingham, was appointed Speaker of the Senate, by a majority of 10 votes over John M. Binford, Esq. of Northampton—(Mr. Martin having 30 and Mr. Binford 20 votes.) Gen. M. Stokes and Maj. R. Williams were re-appointed Clerks. That, the House of Commons re-elected their Speaker, Stephen Cabarrus, Esq. and John Hunt and Pleasant Henderion, Esquires, Clerks,

HOUSE OF COMMONS,  
TUESDAY, NOV. 19.

The following MESSAGE was received from the Governor:—

To the Honourable the General Assembly of the State of North-Carolina.

GENTLEMEN,

It affords me pleasure, that, after a year of great scarcity, I can, at the opening of the present session of the General Assembly, most cordially congratulate you on our country's having experienced, with few exceptions, a season of uncommon plenty, and on the prospect of our citizens of every description having an abundance of all the necessaries of life.

The following are all the matters of a public nature which have come to my knowledge during the present year, which are deemed of sufficient importance to find a place in this communication.

The inclosure, marked A. contains the copy of a letter from the Senators of this State, in the Congress of the United States, giving information of the manner in which they disposed of the several objects committed to their charge by the last General Assembly, and the copy of a correspondence between them and the President of the United States, relative to obtaining a road through the lands held by the Cherokee nation of Indians. In advising to the first, the Legislature will be informed that the assent of Congress to the Act of the General Assembly of this State, passed in the year 1803, entitled "an Act to authorize the state of Tennessee to perfect titles to lands reserved to this State by thecession act," has again been withheld; and the presumption is, that the confirmation of that act by Congress will not be obtained. It has therefore become a matter of serious concern to those persons who have claims to lands of that description, and the Legislature will see the propriety of their taking the subject into consideration and of granting relief, either by repealing that part of the law, which requires the assent of Congress, or by adopting such measures as they may deem right and proper.

The file marked B. contains an official copy of an Act of the Legislature of Georgia, passed at their last session, entitled, "an Act appointing Commissioners for ascertaining and fixing the dividing line between this State and the State of North-Carolina," transmitted to me by the Governor, with a request that the same might be laid before the Legislature of this State;—also the copy of a correspondence that took place between the Governor of that State, and myself, on the subject.

By the latter, the Legislature will be informed that no progress has been made towards accomplishing this desirable object with the reasons which have prevailed in, and that there is no prospect of an agreement of the two States whilst Georgia adheres to her present opinions; unless one of the most important provisions of our laws on the subject be abandoned, which provides, "That the extension of said line shall not affect the titles of any person or persons to the lands entered in either of the said States."—Whether such a principle ought to be admitted, to the manifest injury of a number of the citizens of this State, the Legislature is the only competent authority to determine. The unpleasant situation in which our citizens in that quarter of the State are placed by the conflicting claim of Georgia for jurisdiction, requires immediate redress, & I am persuaded the Legislature will deem it a matter worthy of their most serious deliberation.

Immediately after the rise of the last Assembly, I transmitted to the Governor of South Carolina an authenticated copy of the act of that session, entitled "An act to amend an act entitled an act appointing Commissioners to extend the boundary line of this State, and the State of South-Carolina, passed at Raleigh in the year 1803"—And some time after, received from the Governor an official copy of an act of the General Assembly of the State of South Carolina, passed at their last session, entitled "An act concerning the line of division between this State and the State of North-Carolina," which is submitted, marked C.

Commissioners were not appointed by the Governor of South-Carolina early enough for a meeting to take place between them and those on the part of this State, before the 28th October last; on that day they met at Lancaster Court-House, in South-Carolina, and have adjourned until the 3d Monday in January next, when they are to meet again at Charlotte, in this State. A report of their proceedings has not been received; but I have been informed that considerable progress has been made in the discussion of the subject. When the report is received it shall be made the subject of future communication.

The file marked D. contains resolutions of the Legislatures of Kentucky and Pennsylvania, proposing an amendment to the Constitution of the United States, transmitted to me by the Executives of those States, with a request that they might be laid before the Legislature of this State, for their concurrence & adoption. The proposed amendment is intended to abridge the powers of the Federal Judiciary in certain cases. It is therefore, of great importance and ought to be acted on by the Legislature, with due circumspection, and consideration.

The Resolution of the last Assembly, proposing an amendment to the Federal Constitution was transmitted by me, to the Executives of the several States, agreeable to the request of the Legislature. And the proceedings on them by the Legislatures of the different States, that have been received, are submitted, marked E.

The file marked F. contains such resignations as have been received the present year.

My private Secretary will lay before you the Acts and Journals of the last Session of Congress and such laws and resolutions of the several States, as have been received the present year for the use of this State; together with the book containing the public letters written to and by the Executive during the present year.

Having finished my communications, permit me, GENTLEMEN, once more to call your attention to whatever may be calculated to advance the Agriculture, Commerce, and Manufactures of our Country, also to the improvement of our public Roads, and Inland Navigation; as you will readily agree with me, that in proportion as they are encouraged & progress, in the same ratio, will our country rise in prosperity and consequence.

But more especially, let me again recommend to the serious consideration of the General Assembly, the proper education of the youth of the State, upon some plan which shall be general and effective. Whether by affording some uniform support to one or more well regulated school or schools in every county, after the example of our sister State of South-Carolina, or in some other adequate mode, is submitted to your wisdom. It is evident that the situation of our State in this respect, calls for Legislative aid; for though it must have given pleasure to every friend of science and good government, to observe, of late years, schools springing up in many parts of our country, yet it must also have pained him to see, that when left to the support of individual patriotism alone, they have too frequently languished and sunk, for want of competent patronage and well qualified teachers. Under the protection of government, it is presumed, those fundamental institutions, in which our youth would not only be taught the elements of useful knowledge, but the principles of virtue; and on which, perhaps, depend the future prosperity, happiness, and freedom of the State, would be completely upheld.

Give me leave Gentlemen, to felicitate you on the late treaty with the Bashaw of Tripoli; by which (though we shall not learn all the particulars of the Treaty until the President of the United States shall lay it before Congress) more than three hundred of our captive fellow citizens have regained their freedom, and been, or shortly will be restored to their families and friends.—An event that will be mentioned to the honour of the United States in every part of the globe; since we are the first power which has compelled these Barbarians to do justice, and to set at liberty citizens held by them in slavery.

Whilst most of the powerful nations of Europe are either at war, or ready to enter into that most unhappy state, the external and internal situation of this country (under the blessings of God and a wise and free Republican government) is altogether tranquil and happy. And though our commerce has suffered, as usual, from the ships and vessels of the belligerent powers, in a manner, which without due reparation made, and engagements entered into for future forbearance, cannot be borne with: Yet, from the desire the United States have always manifested to avoid war, and to settle any differences which may arise with foreign countries, by the rule of justice and right, rather than by the savage and uncertain issue of the sword; and more especially from the steps which have been taken by the President of the United States to obtain redress for the grievances which we have suffered, we may still hope to enjoy the fruits of our industry in peace.

But if the nations at war will not listen to our overtures for a peaceful accommodation of our wrongs; but will continue to despoil the property of our merchants, and insult our flag, and nothing but war will satisfy them, we must make the sacrifice—and be prepared to meet the event; for, much as we love peace, we value national independence still more. And if the United States should unhappily be driven into that state, I trust, we have it in our power to make any nation repent of its temerity, which shall force us into the defence of what we hold most dear—our liberty, our property and our country. It is prudent and necessary therefore, gentlemen, since we have no security for our uninterrupted peace, much and ardently as we desire it, to be prepared for war, so far, at least, as a well organized and well armed militia will put us in that situation. And this leads me again to submit to the deliberation of the General Assembly, the propriety of taking such steps for providing our State with a better supply of arms than we at present possess. The great importance of this subject, I cannot but flatter myself, will procure it that attention which it merits.

Permit me to recommend to you, in your deliberations during the present session, candour and moderation in debate, and carefully to avoid giving offence to your fellow members; for tho' every legislator feels himself bound (as he certainly ought) to support whatever sentiments he deems right and important for the public interest, yet this may be done without personality, or the impeachment of the purity of each other's motives. To support this temper, it is only necessary to impress your minds with the belief (which it is hoped is the truth) that though members differ in opinion as to the propriety of political measures, each has the same object in view—the good of our common country.

And now, Gentlemen, suffer me to take my leave of your honorable body. Having had the honour to preside over this State, to the longest period which a wise provision of the Constitution allows, I shall retire from office with the most grateful remembrance of the favourable sentiments of my fellow citizens who have repeatedly placed me in it, and with my best wishes for the increasing prosperity and happiness of the State; which nothing can more effectually promote than the wise and prudent exercise of the powers lodged in the General Assembly.—And if, besides this exercise of your political powers, you hold out to the people at large, in your individual capacity, at your respective homes, exemplary lives of patriotism and virtue, no reasonable doubt can be entertained, that

whilst the State of North-Carolina will advance in population, wealth, and consequence, it will also progress in those great and solid attainments, which render nations truly great and respectable.

JAMES TURNER.

November 18th, 1805.

The above Message was referred to this house to Messrs. Porter, Love, Pearson, Lowrie, Yancy, N. Jones, Bryan, Nelson, Nixon, Molton, Hay & Pickens.

The following gentlemen were nominated for engrossing Clerks:—Benjamin Covington, Thomas Rogers, Wm. Lockhart, Charles Hill, William Hill, Mark Harden, and Thomas A. Wood. On the first ballot Mr. Covington had a majority of the votes—a further balloting for two more Clerks was therefore unnecessary. The House adjourned.

WEDNESDAY, NOV. 20.

The Memorial of Duncan M'Farlan, Esq. was presented and read, and referred to Messrs. Moore, Lowrie, Slade, Pearson, and Phifer on the part of this house; and on the part of the Senate, to Messrs. Welborn, Franklin, and Lea & Robeson.

Mr. Porter presented a Bill to advance the administration of Justice—read and sent to the Senate.

A further ballot took place this day for two Engrossing Clerks, but no one had a majority—A further ballot took place, the name of Charles A. Hill being withdrawn, Mr. Rogers and Mr. Lockhart were elected.

Mr. Slade presented a bill to amend & supply the deficiencies of the several acts now in force, directing how deeds, gifts and bills of sales shall be authenticated and perpetuated—read and sent to the Senate.

THURSDAY, NOV. 21.

A balloting for a public Printer took place this morning, when Joseph Gale was elected by a large majority.

A message was sent to the Senate proposing to ballot on the morrow for Senator in Congress to supply the vacancy occasioned by the non-acceptance of Gen. Stokes of that office, and James Turner Esq. the present Governor, and Gen. Thomas Davis of Fayetteville, were nominated.

Mr. Robards presented a bill to empower the county Court of Carteret to lay a tax for the purpose of building a Poor House.

Mr. Morgan presented a bill to empower the court of Camden to lay a tax for the same purpose.

Received from the Senate a bill to amend the act passed in 1789, entitled "an Act to alter the time of electing Members of the General Assembly"—read and returned.

Mr. Morgan presented the petition of John Berry, of Camden, praying to be divorced from his wife Leah, &c.—referred to the Committee of Divorce and Alimony.

Mr. Washington presented a bill to amend the several acts of Assembly that requires a majority of the acting Justice to be present on certain cases, so far as respects Granville.

FRIDAY, NOV. 22.

Mr. Cherry presented the petition of William Vines, setting forth that the late election for Beaufort county, so far as respects the election of Frederick Grady had been conducted illegally and unfair and praying an enquiry therein:—referred to the committee of Privileges and Elections.

Mr. Lowrie presented the remonstrance of John M'Knitt Alexander & William B. Alexander, stating that they had certain land warrants consumed by fire, &c.—referred to the committee of Propositions and Grievances.

A Message from the Senate proposing a ballot on the morrow for Governor nominating Benjamin Williams as Jesse Franklin Esqrs. was agreed to and the name of Dr. Nathaniel Alexander added to the nomination.

Also a Message proposing a joint committee to take into consideration the propriety of establishing a State Bank, and to report by bill or otherwise, adding their part Messrs. Welborn, Graham, Shober, Hindley, Tyfon, Fulwood, Hatch, Freshwater and Stewart; which was acceded to by this house and the