verity of its punishment." Again, persons charged with crime and confined in prison, even if unlawfully convicted, cannot have their cases reviewed in a court of higher jurisdiction for many months, thus violating that sacred provision in our Declarration of Rights, which says "that every freeman restrained of his liberty is entitled to a remedy to enquire into the lawfulness thereof, and to remove the same if unlawful, and that such remedy ought not to be denied or delayed." I therefore recommend that the regular sessions of the Supreme and Superior Courts be restored.

I am also convinced that whilst the soldier in the field should have his property protected from seizure under execution, there exists no valid reason why, in the great plenteousness of money, and the high prices of property, any man should desire to be excused from paying his debts. I think it probable, that it might also exert a favorable influence on prices, if men were compelled to part with their surplus property to satisfy their creditors.

In this connection, permit me to respectfully recommend that our present circuits be re-arranged, adding at least one additional circuit and another Judge thereof. The necessity for this change will be apparent from the following considerations:

Some of the circuits embrace an extensive area of territory with a large amount of business. The seventh seventh circuit comprises eighteen counties, others more than twelve, and, to some, two weeks are allotted. According to existing statutes, the Judges are allowed an annual salary of nineteen hundred and fifty dollars, with the proviso "that in all cases where a circuit of the Superior Courts shall exceed twelve weeks, the Judges holding said Courts at any regular term shall be entitled to a compensation of ninety dollars for the court of each county exceeding twelve weeks, held by them, to be paid by the public treasurer on the first days of January and July in addition to their salary aforesaid, and each week in which a court shall be held, shall be considered a term." Special terms of the Superior Courts are also held, adding this service a compensation of ninety dollars is given to be paid by the county in which the court is held. Upon examination it will be found that the amounts thus paid for additional and extra courts exceed the salary of a single Judge.

The fourth section of the 102d chapter Revised Code provides that "that every judge shall produce a certificate of the Clerk of each county of his having held the court of the county, according to law; and for every such certificate omitted to be produced, there shall be a deduction from his salary of one hundred dollars. Portions of certain circuits are occupied by the enemy, and it is impossible for the judges to procure the required certificates. It may be necessary, therefore, to modify this provision to have effect only pending the war.

The Hon. Thomas Ruffin, jr., residing in the fourth judicial circuit, having resigned his place as one of the judges of the Superior Courts of law and equity, my immediate predecessor, with the advice of the Council of State, filled said vacancy by granting a temporary commission to the Hon. John Kerr, of Caswell, which will expire at the end of your present session. It is your duty to fill the vacancy permanently.

The office of Attorney General has been also vacated by the former incumbent, Hon. W. A. Jenkins entering the army and accepting an office under the Confederate States.—There are also Solicitors to be elected for several of the circuits.

There are confined in Salisbury by the Confederate authorities, a number of citizens of North Carolina, arrested for alleged political offences. How long they are to remain incarcerated no one can say but those who apprehended them. What their guilt really consists in I do not know, but this much it becomes both you and me to know, in view of the oaths we take upon entering into office, that they were not arrested by lawful process, and as citizens of North Carolina they are entitled to a speedy trial, by a jury of their peers, and to be confronted with their accusers. I have laid the cases before his Excellency the President of the Confederate States, and when his reply is received you will be informed thereof. Should there exist any grave State reasons why, they are denied a trial, it is due at least, that we should informed of them. I have not seen an official copy of the act, but, I learn from the newspapers that Congress has conferred upon the President the power to suspend the writ of *habeas corpus* in all cases of arrests made by Confederate authority. If this be once admitted, no man is safe from the power of one individual. He could at pleasure, seize any citizen of the State with of without excuse throw him into prison and permit him to languish there without relief—a power that I am unwilling to see entrusted to any living man. To submit to its exercise would in my opinion be establishing a precedent dangerous and pernicious in the extreme.—Among a people so united and faithful to their cause as ours, where disloyalty is the rare and solitary exception to the general rule, I can see but little good, but a vast tide of inflowing evil from these inordinate stretches of military power which are fast disgracing us equally with our Northern enemies. A free Republic that must needs cast off its freedom in every time of trouble will soon cast it off *forever*. Freedom cannot be embraced to-day and spurned to-morrow; a steadfast and constant worship can alone secure her countless blessings. Her chosen instruments—the Constitution and the laws—were made the sure covenant of her everlasting residence among us; our delight in times of peace and prosperity, and our guide and shield in the day of trouble and calamity.—Now, if ever, is the time when we should abide strictly by their stern decrees, and walk uprightly in the narrow path they have marked out for our footsteps. We should last of all, forsake the helm and the compass when the vessel is driven by the tempest, and clouds and darkness obscure the way.

Deeply impressed as I have been with the importance of this subject, I have been anxious at the same time to avoid any unnecessary conflict with the Confederate authorities. I have therefore, waited patiently for your assembling, confident that you would take proper steps to maintain the laws and preserve the rights of our people.

It becomes my duty, then, to call your attention to the subject of offering our troops in the field—a the conflict of opinion existing in regard thereto.

The right of the State authorities to commission the officers of the regiments originally raised for the war, is not doubted. It is conceded by the act of Congress of April 16th, 1862, known as the Conscript Law. But the Confederate authorities claim the right to commission the regiments of twelve month's men, continued in service by this law, and also all regiments whatever, raised since it went into operation. And in both cases they have claimed to commission and appoint all regimental staff officers, even when they contended to be the exercise of the State the appointments of the officers of the line. Again, while appointing and commissioning field officers, the Secretary of War has declined to appoint company officers. To remedy, if possible, this confusion and to avoid conflict, I asked in person to see the President, who promised to take the opinion of his Attorney General on the subject at length. I have not yet had the pleasure of seeing that opinion and now lay the matter before you, and recommend you to take such steps as will preserve the rights and honor of the State. It may well be doubted if the offering of the whole of our troops does not belong exclusively to State authority, as by strict reference to the Constitution they may be found to be a point of law militia. It is mortifying to find out regiments of North Carolina soldiers in the field commanded by strangers, and in many cases, our own brave and tried officers are made to give place to Colonels from other States, who are promoted of the command of North Carolina troops over their heads to vacant Brigadierships. Some of these promotions are charged to North Carolina, which enables the authorities to say that we have had so many appointments, when in fact we have not, the appointees not being citizens of our state. This is fast breaking down the pride and patriotism of our officers, many of whom are reporting to me their intention to resign, alleging that the road to honorable promotion is closed to our citizens. This is not right, and for no just cause of complaint both to our army and with our people at home.

Every wishing that our soldiers should have any Generals possible of leading them, but we contend that as a matter of sheer justice our citizens are entitled to receive their fair proportion of the honors won by their gallantry and endurance.

I would also recommend that the existing prohibition against the distillation of spirits from all the medical needs of the country and army can be abundantly supplied by the liquors made from the fruit crop. Should even the supply for the army fail, it cannot be doubted that it is much better for the soldier to go without spirits than his wife and child should be without bread.

I also recommend that a law be passed providing for a severe punishment of all persons who may be convicted of speculating in any of the necessaries of life, under the base pretence of being government agents.

In order to keep the highways of the country in better condition, they having since the commencement of the war been permitted to get in very bad repair, I recommend that the Revised Code be so amended that the age to be reached to entitle a man to exemption from working on the roads, shall be fifty years instead of forty-five as now.

The term of the Hon. George Davis, Confederate States' Senator from N. C., will expire before the next regular session of the General Assembly, and will be your duty to provide for filling the vacancy.

I take great pleasure in informing you that the educational interests of the country have not been overlooked since the commencement of my administration. Owing to the great drain upon the treasury during the first year of the war, the Literary Board deemed it advisable to make only half the usual semi-annual distribution of the common school fund for the fall of 1861, and none at all for the spring of 1862. Feeling that this pressure had passed away, and that this was one of great importance to our people, the Board, at its recent meeting, ordered the usual distribution to be made, increased by ten thousand dollars from the sum due for the back distribution, and resolved to add that amount each spring and fall, until the whole shall have been appropriated. There has been some disposition manifested to take this fund for war purpose. Should there really exist a *serious design* on the part of any one to do this, which I hardly think probable, I earnestly hope that you will promptly defeat it. This small sum could add but little to the vast amount required to conduct the war, and its abstraction would be an absolute robbery of the poor children of the State. On the contrary, it should be your duty to carefully preserve and if possible increase this fund, make provisions for its regular distribution, and do everything in your power to educate the rising youth of the country. While war is desolating our coast, and the tide of revolution is flowing all around us, let young children of the State be still assembled in their log houses and primitive academies, in the mountains and on the plains, and let their first lesson be to read of our great struggle for civil and religious liberty—of the patriotism and sacrifices of our people, and the glorious bravery of their fathers and brothers upon the blood-stained fields of the south. It is of the very highest importance that the war should not carry away everything useful and civilized in the land and cause our children to grow up in ignorance and crime.—No one has been more impressed with the importance of this matter than the able and worthy superintendent of common schools, who has labored faithfully and diligently in behalf of his little charges, and has suffered no excitement or misfortune to turn him from the path of duty. To him, in a great measure, is due the keeping alive of the interest of the people in the well-being of the schools during times of trouble. Our time-honored old University, though thinned, as have been our male schools everywhere by the patriotism of the boys who have rushed to fill up our armies, is still in full operation, the President and Faculty having bravely resolved to hold their position as long as they have a squad to muster.—The female schools of the State are generally as flourishing as in times of peace.

Both of the Asylums in this city are prospering under the present efficient management—a great charity to our people and a credit to the State.

Of our internal improvement system, I deem it unnecessary, I have received no official report or information as to the condition or wants of any of the public works requiring legislative action. Should anything of this nature be brought to my attention, I shall lay it before you in a special message.

In addition the matters herein brought to your attention, there are several of an important nature about which it is not deemed prudent to speak publicly, but which I will take pleasure in explaining, or discussing verbally with you when desired. Many others I have doubtless overlooked—for which, as well as for the hasty preparation and disconnected form of this instrument, I beg that my recent inauguration into office, and the many heavy drafts upon my time, may be considered an apology.

In conclusion, gentlemen, allow me to urge upon you the vital importance of bringing forth all the powers and resources of the State for the common defence of our country and our cause. The two great dangers we have to meet will be found connected with our currency, and supplies for our army. Men enough to protect us and drive back the invader, we can always get if we can properly clothe and feed them. Let us do this and preserve our paper from depreciation and all will be well. In our intercourse with the authorities of our young Confederacy, having demanded firmly the rights which are due our State let us yield them no grudging support, but in all things pertaining to the general weal, sustain and strengthen them with our whole hearts. And in all our official acts let us remember, that it is *the spirit of the people* which tyrants cannot subdue. On this depends all. So long as they continue harmonious, willing, self sacrificing, the united armies of this continent may be hurled against us in vain; with such a country and such a people we might set them at defiance. Our heroic soldiers, shivering in their rags and plashing with their naked feet through the snows, have already, even though the chronicles of our foes, excited the wondering admiration of the world, and great Generals and brave people beyond the distant waters of the sea stand aghast with astonishment at the feats of freemen struggling for their rights. Let us learn of them, and by zeal and deserction displayed for the general good, show to the world that we are worthy to parade over these gallant and patriotic men.

Many of the matters to which I have called your attention, if done at all, require to be done promptly. This is especially the case in regard to the raising of troops for State defence, and to laying an embargo upon the necessaries of life referred to.

Remember lastly, that you are labouring for the very salvation of our people. The bitter cup that our captured cities and districts have had to drink, shows us, alas! too plainly, the misery we are to expect if our abolition foes should overcome us. In the bitterness of their hatred they have even shown a demoniac desire to re-enact the horrors of Saint Domingo and to let loose the hellish passions of servile insurrection to revel in the desolation of our homes. The people of the next generation will bless the memory of those who weather in the field or the council, helped to rescue their country from these horrors. Let us labor to deserve their praise, and may the blessing of God attend our soldiers and our statesmen, who are struggling to defend a noble people and a noble cause."

Z. B. VANCE.

Executive Department, Nov 17th, 1862.

NO HOPE OF A RETURN TO THE "GLORIOUS UNION."

A correspondent of the N. Y. *Times*, writing from Leesburg, Loudon County, Virginia, gives a decidedly discouraging account of the "Union" feeling there. So far from "loyal" are the people, that the writer thinks they are "intensely and universally" secession in their feelings, though they have that kind of "civility which well-bred belligerents bear to each other." The correspondent gives an account of an interview with John Janney, the President of the Virginia Convention, which, barring the distortions of the Yankee, which are readily recognizable, is interesting:

Nothing and nobody in all Leesburg interested me but one white headed old Virginia gentleman, of whom history will have a word to say. I mean John Janney, the President of the Virginia Convention at Richmond, that voted the State out of Union, and whose home is in this town.—In the Convention, he constantly and persistently voted against every measure looking in any way whatever toward secession though, as its President, he had to affix his name to a document which he considered the death warrant and suicide of the State. Knowing that when he afterwards returned home, and the time for the popular vote came, he voted *for* secession, I was curious to know what influences had worked this internal change in a high and pure souled nature.

Calling at his residence, I was received with cordiality by the tall spare figure, with a noble white cheevlure, whose every lineament and the high, courtly, old time manners, plainly showed the fine old Virginia gentleman. Mr. Janney is now about sixty-five, and has been of late months in feeble health. It was not difficult, presently, to carry the conversation from present affairs and give it a historical turn. It did not need his avowal to inform me that he had been all along an Old Line Henry Clay whig, and that he had long kept aloof from practical politics; it was easy to see that such as they have been North and South, they must have offended his honest temper. It was a little remarkable, therefore, that he should have been chosen the presiding officer of the Convention on the question of secession, and the choice of so conservative Union loving a man, showed there was some moderation and virtue in the body. The Convention met, you will remember, in the middle of February of 1861; and he laid great stress on the roughly Union sentiment that pervaded it during its earlier sessions. If a vote on the question had been taken any time during the month preceding the attack on Fort Sumter, three-fourths at least of all the voices would have been against the ordinance. When that event took place, the secession mercury on the instant leaped up in the barometer. The Union party in the Convention, however, still struggled on. They sent delegates to Washington—begging, imploring some assuring word, some basis of hope, some promise which they could present to their people. "And Mr. S., I am bound to tell you, we got discouragement rather than encouragement." Unable thus to get any rallying point the Union party was overslaughed by the Disunionists, and the secession was voted by a large majority. Mr. Janney, with some others, holding out to the last.

The Convention dissolved, the members went home, the popular vote—without whose ratification the act of the body was "void and nothing more"—was about to come on; but before the day arrived, Mr. Lincoln invaded Virginia with the blockade, and would her soil by marching troops into Alexandria! When the time for the popular vote came, John Janney gave his votes for secession. The invasion, State rights, and the old time traditions, had done their work. "Sir, I am in a word, a Virginian—a citizen of a Commonwealth that had existed as a sovereign, organized Government, for two hundred years before the United States had a name." Such, in a sentence, is the history of the lapse of thousands of the best and purest men of Virginia—men who are the main stay of the rebellion in the council and in the field. And certainly there could have been no condition of mind more favorable to the purposes of the arch plotters of disunion than they found in the principle, prejudices and traditions of Virginia.

The Watchman.

SALISBURY, N. C.:

MONDAY EVENING, NOVEMBER 24, 1862.

We have had to leave out, for want of room several articles prepared for this paper.

FAIR.—The Young Ladies, it will be seen by reference to our advertising columns, propose to hold a Fair on Tuesday 2d of December, for a purpose purpose. See their Card. It is going to be a very handsome affair, and we doubt not it will be well attended.

GOV. VANCE'S MESSAGE—THE LEGISLATURE &C.

We yield a large portion of our limited space to the excellent Message of Gov. Vance, and invite to it the attention of our readers. It is a comprehensive review of the affairs of the State, and of the part North Carolina must bear in the present struggle for independence. Governor Vance has done himself credit in this message, and shows a deep and praiseworthy concern for the welfare of the State.

The Legislature having met on Monday last, organized by the election of Giles Mebane, of Alamance, Speaker of Senate, C. R. Thomas, of Carteret, was elected Principal Clerk, Col. L. C. Edwards, of Granville, Assistant Clerk; W. R. Page, of Randolph, Principal Doorkeeper; and C. C. Tally, of Chatham, his Assistant.

Robert B. Gilliam, of Granville, was elected Speaker of the House. The vote stood thus:

For Mr. Gilliam,	69
For Hon. J. G. Shepherd,	16
For Mr. Fleming,	7

H. E. Colton, Esq., was elected Principal Clerk; John A. Stanly, Assistant Clerk; Capt. W. S. Webster, Principal Doorkeeper, and John Hill his Assistant.

On Tuesday, Mr. Sharpe nominated W. W. Holden for State Printer; and at one o'clock the vote was taken and resulted in his election.

Whole number of votes cast in the two Houses, 135. Of these Holden received 80, Palmer 53, Spelman 1, Pennington 1.

Mr. Day, in the House, presented a memorial from citizens of Onslow county, asking the raising of 8 or 10 thousand troops for the defence of Eastern Carolina.

The Governor's message was sent in, and read at 12 o'clock. 20 copies were ordered to be printed for each member of the General Assembly.

In the Senate, on Wednesday, the rules that governed the two Houses at last Session, were adopted for this session.

The Speaker presented a communication from William W. Holden, Esquire, relative to the Public Printing, accepting the same, and returning his thanks for his election, stating that he had not sought it, or even solicited any friend to nominate him, and proposing to relinquish the same at any time the Legislature would make such arrangements as to secure that the profits arising from the printing shall go into the State Treasury.

This is creditable to Mr. Holden.

Mr. Murrill introduced a preamble and resolutions objecting to the Exemption Bill of Congress in so far as it exempted from military service, owners of a certain number of slaves, 500 head of cattle, horses, &c., requesting our representatives to urge a repeal of said clauses.

The two Houses met at 1 o'clock in secret session to hear a communication from the Governor.

In the House, the committee on the election of Public Printer reported.

Mr. Holden's letter of acceptance, &c., was read.

The rules regulating the intercourse between the two Houses of last session adopted for this session.

A bill to prevent monopolies of breadstuffs introduced.

A bill for the purchase of provisions in the Eastern counties, to be stored in the *[illegible]*.

Mr. Peebles, a bill providing for the election of sheriffs for a term of four years, then to be ineligible for re-election until the expiration of another term.

Mr. Shepherd, a resolution of inquiry into the propriety of establishing work houses in connection with the county jails.

Mr. Harris, of Cabarrus, a bill to continue in force the Ordinance against the distillation of grains, until 1st January, 1863.

Mr. Kirby, a bill authorizing the Governor to seize articles of prime necessity for the public use.

FROM CHARLESTON, S. C.

CHARLESTON, Nov. 22.

There has been an increase of the blockading squadron off this harbor. Much activity is manifested in the movements of the vessels and exhibition of lights and signals.

WE ARE READY!

RETALIATION.

RICHMOND, Nov. 22.

The following communication from President Davis to Lieut. General Holmes, commanding trans-Mississippi Department, published by Executive Office, Nov. 17, 1862:

GENERAL.—Enclosed you will find a slip from the Memphis *Daily Appeal*, of the 3d instant, containing a request purporting to be derived from the Palmyra (Missouri) Courier, a Federal journal, of the murder of ten Confederate citizens in Missouri by order of Gen. McNeill, U. S. Army. You will communicate by flag of truce with Federal officers commanding that department and ascertain if the facts are as stated. If they be so, you will demand the immediate surrender of McNeill to the Confederate authorities, and if this demand be not complied with, you will inform such commanding officers that you are ordered to execute the first ten United States officers who may be captured and fall into your hands.

Very Respectfully &c.

Signed JEFFERSON DAVIS.

From the 4th North Carolina.

EXCAMPED IN SIGHT OF FREDERICKSBURG, VA.
Nov 14th, 1862.

During the month past we have been kept marching constantly, so that we have scarcely had time to drop "a line home" to our "dear," much less time to write a letter for a newspaper. But I shall attempt it this morning, any way, though I doubt very much whether I get this page full, with all my haste, before the drum beats to fall in. It is Hill's corps who are soldiering, and he gets working out rations contrary. It is a fact; we have more "serious looking" of the Harper's Ferry and Winchester railroad, and having it in our power to strengthen but a little until Nothing turns out for when and how it rains. About Harrisonburg, because I'm being the place of the Brown's execution, we had to be right smart about it. The work of tearing up and burning was done one rainy night while a heavy force of picket and skirmishers were sent out ahead. We marched within two miles of the Yankee camps, within six miles of Harper's Ferry, and from that point to Winchester utterly demolished the road. Thence we went by a number of circuitous marches to Front Royal, where we were kept three days and nights hourly expecting a battle. On the last evening of our stay in the vicinity of Front Royal, Nov. 6th, we were drawn up in line of battle on a knoll just a mile North-west of town on the Winchester turnpike, and within a quarter of a mile of the Shenandoah river over our rear. The evening was exceedingly cold and disagreeable. Black flying clouds were sweeping across the sky from the range of mountains westward, while a piercing wind chilled us to the bone. It was almost impossible for us to get any kind of wood to burn, everything having been consumed by both Federal and Confederate soldiers who had occupied the ground at various times from the time the war first broke out. Still we managed to gather up a few old rails from the deserted plantations around and which served to give us a glimpse at least of fire. There we stood, shivering around our small fires, expecting every moment to hear the first cannon fire that should announce the opening of the contest. The sun went down and as the night grew dark and cheerless, the vast amphitheatre of mountains around us were dark and dismal, except a few spots occasionally illuminated by a few straggling rays from the full moon, which now seemed more distant and colder than ever. A few fires did us but little good, since just after gust of wind would scatter the blazing pieces of light wood like sky-rockets in the air. At 9 o'clock at night a muffled drum was rolled and we were ordered to fall in quickly and quietly, we did so, wondering what, in the name of Heaven could be up now. But we were not long kept in suspence; under the dark mass about us we were moving towards the river, and then for the first time it flashed across our minds that we would have to wade that stormy river. Horrible idea! But there was no one halting or talking; the fact is we were allowed to do neither until we were on the bank of the river when an ominous pause was made. Col. Grimes (now in command of the late G. B. Anderson's brigade) rode across the ford one back several times in order to find the most shallow place. Soon he had found the best fording, when he came back to the same side that we were on, and two rails from the land he sat on his horse full for minutes, dreading to give the command, and we dreading as nearly to hear it. Delay was useless, and reluctantly the Colonel gave the order "*forward*" upon which there in advance plunged in; we soon followed and,—oh! ugh! ugh!! It takes my breath to think about it. Well—if we are ever immersed it must be in the warmest time when—

"The pool beneath the weeping willows,
Looks cooler, fresher, purer,
As the drooping shrubs, and withered corn,
Beneath the clouds for water."

Once across—and that was indeed a serious business, the river about one hundred yards wide and on an average two feet deep—we were marched double quick about two miles, halted, told to camp and build fires of anything we could find.

No sooner were the arms stacked and accoutrements off, than a fence close by began to disappear. Every body was scrambling for rails and "in less than no time" the fence, as a fence, was numbered with the things that were. An amusing incident occurred during