

General Assembly.

On Monday, the 21st inst. both branches of the General Assembly of this State convened in their respective chambers of the Government house at Raleigh, and proceed to business.

In the Senate, David F. Caldwell, of Rowan, was elected Speaker, on the first balloting, by a majority of 13 votes over William D. Mosely, of Lenoir. Samuel F. Patterson was elected Principal Clerk; William J. Cowan, Clerk Assistant; and Thomas B. Wheeler and Green Hill, Doorkeepers.

In the House of Commons, three gentlemen were nominated for the Speaker's Chair, viz: Mr. Fisher, of Salisbury; Mr. Henry, of Fayetteville; and Mr. Sawyer, of Edenton. On the first ballot, Mr. Fisher obtained 29 votes, Mr. Henry 47 votes, and Mr. Sawyer 47 votes. Immediately after this result was declared and a second balloting determined on, Mr. Sawyer rose and withdrew his name from nomination, making use of the occasion to thank the House for the flattering support which had been given to him. On the second balloting, the vote stood: for Fisher 67, for Henry 57—Mr. Fisher was accordingly declared elected and conducted to his seat. Charles Manly was elected Principal Clerk; Edmund B. Freeman, Clerk Assistant; and Richard Roberts and John Lumsden, Door Keepers.

On Wednesday, the Speaker laid before the Senate sundry documents, contesting the election of Jesse Cooper, the sitting member from the county of Martin.

A joint committee was appointed to inquire whether the house in which the Legislature is now convened is within the limits of the city of Raleigh, and if not, whether they can hold their sessions at any place without said limits, agreeably to the provisions of the Constitution and laws of this State.

At 1 o'clock, the Governor transmitted to both Houses the following

MESSAGE.

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

GENTLEMEN,—Among the distinguished blessings derived from the establishment of the independence of our country, may justly be enumerated the free election and constitutional meeting of the Representatives of the people. Selected from every section of the State, accurately acquainted with the occurrences which have taken place in their respective districts, familiar with the condition of their constituents, and coming to the seat of government clothed with ample powers to remedy the grievances under which the people labor, they present one of the most cheering and interesting characters of our peculiar form of government. Assembling under such circumstances, when we are assured that crops of all kind have been abundant, and that the means of subsistence and comfort are thereby secured to every citizen of the State, and when the ordinary share of health crowns our enjoyments, we have abundant reason to be thankful to the Almighty Ruler of the Universe for these inestimable blessings, and to pray that they may be continued to us, and perpetuated to our children.

The satisfaction which I should have felt on meeting with the Legislature at this time, is somewhat abated by the accident that caused the destruction of the State House, which had been repaired in a faithful and masterly manner, and nearly completed, under the provisions of the act of the last session. By this casualty the State has been deprived of the convenient halls provided for the accommodation of the Legislative body,

together with the adjoining offices and the public Library. The fine marble statue of Washington, by Canova, has also been much mutilated, and a considerable portion of the ornaments and furniture of the building has been destroyed. The injury to the statue is to be regretted, as it was the work of an artist of great celebrity, now no more: But the memory of Washington, the father of his country, will live in the hearts and recollections of all who love liberty, in every part of the globe, and needs no artificial monument to revive or to perpetuate the glory of his achievements.

With respect to the loss of the building itself, it is my opinion, fortified by that of better judges, that, under all circumstances, it is not to be considered as a public calamity. Such were the defects in the construction of the old walls, erected in 1794, that it is very probable that a part of the building would have fallen in a few years, and perhaps caused the death of many of the assembled Representatives.

Immediately after the destruction of the State House, the congregation of the Presbyterian Church in this city, with a public spirit which reflects great credit upon their liberality, tendered the use of their meeting house for the accommodation of the House of Commons, and their session room for the Senate. Without determining positively in this case, but leaving the members to decide hereafter for themselves, I have considered it my duty, under existing circumstances, to make a temporary preparation, and to tender the Government House to the Legislature, which, being the property of the State, may probably be so altered as to answer the purpose of holding their session, until an appropriation shall be made, and a suitable building erected. In this arrangement, my only object has been to provide for your comfort during the session. I have totally disregarded my own convenience, in order that, by tendering the Government House, I might be enabled to accommodate the Legislature in the best possible manner the nature of the case will admit.

In relation to our internal concerns, I have to observe, that it would be impossible to conceal from the world, and needless to disguise from ourselves, the fact, that a certain class of the population of the State have become more discontented and ungovernable than heretofore. Fanatics of their own complexion, and other incendiaries, have fomented these discontents, and have incited them, in many instances, to enter into conspiracies dangerous to the peace and safety of the country. To guard against these evils, which in all probability will continue, the utmost caution and prudence are necessary. Restrictive laws have been enacted without producing the desired effect; and the crimes committed in a late insurrection in an adjoining State, would seem to require further and early attention to this subject. Instead of multiplying severe and sanguinary laws to operate upon those who know little, and care less, about them, would it not be advisable to establish a more efficient and accountable police, and to arm and equip one or more companies of volunteers or detached militia, in each county, to be called out when required, and to be paid while in actual service? It is believed that such a force, in aid of the civil authority, would effectually secure the peace of the country; and the public arms belonging to the State could not be placed in safer hands. These State troops might be enrolled for one or more years, be held responsible for the arms and ammunition furnished, and not be suffered to abandon the service during the term of their engagement.

Among the subjects requiring your notice and attention, is the law appropriating funds for Internal Improvements, and the situation of those funds. The act of 1819, relative to that subject, is still in force, and it directs that "the fund for Internal Improvements shall be subject to the order of the President and Directors of the Board, and shall be paid out by the Treasurer of the State to the order of the Board, certified and subscribed by the Secretary and countersigned by the President." The last General Assembly having failed to elect a Board for Internal Improvements, there is no authority for drawing out any part of the fund. The payment of the subscription on behalf of the State to the Cape Fear Navigation Company, the Catawba Navigation Company, and some others, has been

demand. The instalments on these subscriptions have heretofore been paid from this fund, but as there was no authority for disbursing the money, I have refused to grant warrants for the sums so due. These subscriptions, however, are debts voluntarily contracted by the State, and their payment should be provided for.

Another subject demanding your attention is the situation of the funds of the State, invested in the Banks. The time is near at hand when the charters of the several Banks in this State will expire. The stock held by the State in the State Bank of North-Carolina, has for some time past only yielded an interest of four per cent. per annum; the stock held by the State in the Bank of Cape Fear has, for the last two years, yielded an interest of only three per cent. per annum; whilst the stock held by the State in the Newbern Bank has not, for nearly three years, yielded any interest. The period will shortly arrive when all these Banks are authorized by law to make a division of part of their capital stock. The funds vested by the State in these Banks amount to seven hundred and twelve thousand seven hundred dollars, (\$712,700.) This amount of stock, at the common interest of six per cent., ought to produce forty-two thousand six hundred and seventy-two dollars (\$42,672) annually; whereas, in fact, it produces only eighteen thousand five hundred and sixty-two dollars, (\$18,562,) not equal to three per cent.

The Treasurer's Report, which will be laid before you, will show that, owing to the large amount of Treasury notes redeemed this year, the taxes collected will fall short of meeting the current expences of the Government.

Under these circumstances, would it not be advisable to provide for the establishment of a new Bank, in which the funds of the State may be invested, under such regulations as to your wisdom and experience shall be deemed safe and proper? Or, shall the State rely, for the accommodation of its citizens and for a circulating currency, upon that portion of the capital of the United States' Bank which has already, or may hereafter be allotted to their office of discount in North-Carolina?

I would willingly bring to your notice the important object of opening a navigable communication between the waters of the Albemarle Sound and the Atlantic Ocean, north of Cape Hatteras, and would recommend the application of all the means in your power towards its accomplishment; but believing that, without the aid of the General Government, the resources of the State are inadequate to the undertaking at this time, and the last General Assembly having urged upon our members of Congress the propriety of claiming that aid, we must console ourselves with the hope that this great national work will receive the sanction and support of the National Legislature. Having bestowed such immense sums towards the construction of roads and canals in other States, it is believed that this desirable object, so essential to the interests of North-Carolina and of the Union, will not long be overlooked or neglected.

The Literary fund will claim and receive your favorable attention. The Report of the Public Treasurer will afford you precise information with regard to the amount of cash in his hands, and the situation of that portion of the fund which is not available. It is probably known to all of you that the Trustees of the University did not accept the loan offered them by the last Legislature from this source, so that the whole remains subject to future legislative disposition. The most important item of property transferred by the Legislature to the corporation to whose management the Literary Fund has been committed, are the swamp lands belonging to the State. These lands are believed by many intelligent individuals to be of immense value, and their improvement to be an object second only in importance to the opening and improvement of Roanoke Inlet. It is unnecessary, I am certain, to dwell upon the advantages which would result from the former. They are apparent to all. To convert a dreary waste of waters and marshes into a habitable and fertile region, to insure the means of sustenance and comfort for an immensely increased population, and to give health to a section of country which needs no other blessing, are the certain rewards of a successful attempt at improve-

ment. To your wisdom it is submitted, whether such advantages, which if attained, do not end with themselves, but tend to the enlargement of a fund which may justly be regarded as the orphan's legacy, will not justify, and does not demand, a full and early experiment to test the practicability of the measure.

To provide for the improvement of the State, and for the convenience and prosperity of its citizens, by the construction of roads and canals and the opening of rivers, by all practical means, is so obviously the duty of the representatives of the people, and has been so often noticed by my predecessors in office, that I deem it unnecessary to make any further and special recommendation on that subject; and I am pleased to see that direction, which, I have no doubt, will be properly encouraged.

It is to me a source of much gratification to have observed, and to have it in my power to state, that the excitement which seems to pervade a sister State, upon the subject of the Tariff, has effected little change in the opinions of the citizens of North-Carolina. With regard to the policy of that measure, there is, so far as my information extends, a perfect union of sentiment. All deprecate it, as unequal in its operation, and destructive of the interests of the Southern planter. The period, however, has not yet arrived, which in the judgment of this community, authorizes the adoption of doctrines subversive, in their nature, of all order, and manifestly tending to weaken, if not destroy, our whole system of government. This State is justly proud of having given the first legislative sanction to the spirit of the Revolution. The same love of rational liberty which prompted this high example, induced our revolutionary statesmen to consider attentively and anxiously the form of government proposed for their adoption. Satisfied, after full investigation by successive Conventions, that no powers were delegated but such as were essential to the existence and preservation of the Union, it is no matter of surprise that they and their children should support and defend the compact, and neither seek nor desire a remedy beyond it. A new Congress is about to assemble. The same spirit of compromise which adopted the Constitution, must preserve it, or the question whether man is worthy and capable of self-government, remains yet to be solved. The patriotism of the country looks with confidence to the councils of the nation for a wise and liberal system of policy, and will not hastily arrive at the conclusion that the perils of the Revolution were fruitless and vain.

A resolution of the last General Assembly directed the Governor to cause to be published in pamphlet form a Report relative to the Declaration of Independence by a Committee of Mecklenburg county, with the documents accompanying the same; and also the Journal of the Provincial Assembly of 1776; together with the proceedings of the Cumberland Association." This publication has been made in a manner that, I trust, will meet with the approbation of the Legislature; and the copies have been distributed in the manner directed.

The agency for adjusting and settling the claim of North-Carolina upon the General Government, for expenditures made during the last war in defence of the country, was discontinued by a resolution of the last General Assembly, and our Senators in Congress instructed to urge the speedy payment of the said claim. As this is a matter of considerable importance to the State, I addressed a letter to the Secretary of War, requesting information on the subject, and have received his assurance that the business shall be duly attended to.

I have received from the State of New-York an elegant map of that State, accompanied by a splendid atlas, descriptive of each county. Several of my predecessors in office having recommended a suitable return for similar friendly donations, I have only to add, that a map of North-Carolina being nearly completed, an opportunity will be afforded for this State to cancel these obligations in the manner they deserve.

Since the adjournment of the last Assembly, I have received communications from the Governors of several States, with a

request that they should be submitted for your consideration. Those from Maine relate to the North-Eastern boundary of the United States; to the Tariff of 1823; and the power of the General Government to make appropriations for internal improvements. Those from Vermont relate to an amendment of the Constitution of the United States, proposed by other States. Those from New-Hampshire relate to the organization of the militia. Those from Massachusetts relate to the organization of the militia, and to the proceedings of the government of Georgia. Those from Connecticut relate to an amendment of the Constitution of the United States, proposed by other States; to the power of the General Government to make appropriations in aid of the Colonization Society; and to the judicial power of the United States. Those from Ohio relate to the power of the General Government to make appropriations in aid of the Colonization Society. Those from Delaware relate to the public lands of the United States; to the surviving officers and soldiers of the Revolution; to the Tariff and internal improvements; and to a nomination of a President of the United States. These several communications will be found, with their appropriate endorsements, in a file now laid before you, marked A.

The resignations of Justices of the Peace and Militia Officers, received during the recess of the Legislature, are also laid before you, and will be found in the file marked B.

The file marked C, contains two incendiary publications, received through the medium of the post-office.

Believing that this Assembly will have much to do in providing for the security of the people; in providing for its own future accommodation; and for the establishment of a new Bank, or so directing the application of banking capital, as to secure a sound circulating currency; and in preventing the injury to individuals, which must otherwise follow, when the charters of the other banks shall expire, these being primary objects for the consideration of the Legislature, I have declined making recommendations, which I had contemplated, relative to the situation of the University and the establishment of common schools, and to the condition of that portion of the Cherokee nation of Indians, that remain within the limits of North-Carolina. I am unwilling, however, to close this communication without adverting to the administration of the United States, and congratulating you upon the prosperous condition of our national concerns. Our foreign negotiations have been fortunate and successful beyond all former example—our differences with other powers have been settled—our commerce is uninterrupted—our flag respected—our commercial intercourse with the West Indies restored—new sources are opened for mercantile enterprise; and large sums of money secured, or received from foreign nations, as indemnification to our merchants for property unlawfully seized.—Many of the Indian tribes are peaceably removing to places, whence they cannot annoy us, and will not themselves be injured or interrupted. We are