## GOV. WORTH'S MESSAGE. STATE OF NORTH CAROLINA. EXECUTIVE DEPARTMENT.

Raleigh, Nov. 19, 1866. Assembly of North Carolina: GENTLEMEN: .. The attention of this whole nation is now specially directed to the anomalous condition of our national affairs. It seems fit. therefore, that our consideration should be primarily directed to the restoration of national orde, and harmony. Although we are now denied any regislative participation in the conduct of the government of the United States, we should not be listless as to passing events, nor unmindful of the benefits to be derived from an occasional review of the past. More than eighteen months ago a bloody sectional war was closed by the total overthrow of the weaker, by the stronger section. Its declared object, on the one side, was

to break up the Union; on the other to preserve it. It ended as might have been expected. The commanders of the Southern armies, after the South was completely exhausted, as to every thing which constitutes strength in war, and af-ter exhibitions of valor in the field which astonished the world, surrendering forces. Arms had established the supremancy of the Union. Not a querilla party in the South remained under arms. The whole people of the South, whether they had favored the inception of the war or sympathized with their section after it began or not, gave every evidence they could give of their submission to the result of the conflict, and willingness to obey the Constitution and laws of the United States. What was then in the way of an immediate restoration of the Union? The machinery of government in the Southern States was in the hands of those who had given their adhesion to the rebellion. This was a state of things not contemplated by the Constitution of the United

States. Precedent furnished no guidance in altering the machinery of the rebellious State governments, so as to work in harmony with the national government. The President, who owed his elevated position to his reputation for statesmanship, and the consistent devotion of his life to the preservation of the Union, held that he ought not to recognize the officers of the States who had given their adhesion to the rebellion, even so far as to make them the instruments of States by taking an oath to support the Constiof them. He appointed Provisional Governors, under whose ofders elections were held for del egates to State Conventions, those only being allowed to vote at such elections, to whom general or special pardons had been granted. The great body of the people complied with the conditions, and voted at such elections. When oar Convention assembled, it was understood that the President, and the people of the dominant States, expected of us three amendments of our Constitution, as e-sential to harmonious Union, and permanent reconciliation, to wit: the renunciation of the doctrine of secession; the abolition of slavery; and the repudiation of the debt contracted in the prosecution of the rebellion; and the ratification by the Legislature, thereafter to assem-

United States, proposed during the war, abolishing slavery throughout the United States .-From all we could learn from the press, the avowals of representative men of the North, and all the sources of information, we entertained no doubt that these views of the President were approved by the great body of those who elected him. Many of our people deemed some of these terms hard and injurious to the well-being of the State; but regarding them as the conditions to restored amity, prescribed by our conquerors, they were accepted with remarkable unanimity. and have since been observed with strict fidelity. One of them reduced from affluence to poverty large number of our people, in nowise responsistble for this sectional war. We accepted them, because we thought these terms were required of us as preliminaries to the restoration of concord

tors and Representatives to Congress, with all the qualifications prescribed in the Constitution .-We were not ignorant that Congress, during the war, had prescribed an oath of office, commonly known as the "test oath," which very few, if any of our people who had remained citizens of the State, during the war, could conscientiously take. We regarded this act as unconstitutional. Article C. Section 3, of the Constitution of the United States, provides that Senators and Representatives and other officers "shall be bound by oath or affirmation, to support the Constitution of the United States." If Congress have the power to add to this oath as it may deem expe-

dient, it is manifest that any party, having temporary ascendancy in Congress, can prescribe an do not agree in sentiment with the dominant party. This principle would destroy the very basis of our national government. It was never intended that a party, having temporary ascendancy, should have authority to make its ascendancy perpetual. We believed, from the resolutions of Congress passed during the war, and the manwith the South, and nobody could expect any cordiality to be restored, while this statute was held to be in force. We expected it to be re-

pealed, or be declared unconstitutional and void by the Supreme Court of the United States, in which tribunal, fortunately for the cause of civil liberty, partizanship has as yet made but slight inroads. We believed that the constitutional guards, and the virtue and intelligence of the electors, were a sufficient protection against disloyal men finding their way into the national councils, or if experience should indicate the necessity of others, they would be provided in amendments war, or taken conspicuous part in the military conflict, delicately forebore to ask for a seat in Congress. Although human experience has taught that those who (right or wrong) have exhibited manly courage in military conflict rarely disregard the terms of capitulation when conmered, in this State, no one who had favored he initiation of the war, or distinguished bimself in the field during its progress, asked to be made a member of Congress. Every Senator and Representative elected had always opposed secession until the United States could no longer protect his person or property. Up to this time, we thought the wise and magnanimous policy of the President was about to produce at an early day, the beneficent results he contemplated. A fev. days before the meeting of Congress, after we had complied with all these supposed preliminaries to national reconciliation, speeches of distinguished partizan leaders of the Congress soon to assemble, gave us premonitions of the

purposes of the dominant party. I need not remind you of the chilling shock we received when the action of the dominant party in Congress announced that our members, irrespective of their and their qualifications, would not be received-and that the Union, for the preservation of which so many lives and been lost, and so frightful a national debt had been created, should be practically dissolved until it should be the pleasure of the dominant party majority to restore it. Up to this time, this fraction of the Congress contemplated by the Constitution of the United States, exercise the legislative power, without declaring when, if ever, or upon what conditions, the people of the other States they govern shall have

amant States sanction this action It is corred where a sheriff has had oceasion, since

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PRICE FIVE CENTS

at first, studied to malign thers. A few of the agents of the Freedmens' Bureau, and I grieve to say, a few of our own people, who seek to propitiate the favor of our conquerors by furnishing aliment to the first of the Freedmens' Bureau, and I grieve to say, a few of our own people, who seek to ishing a liment to their manufacture, and to support the Constitution of the United States.

If it be held that a deeper shade of guilt at save to me that the course to be committed, in this, I think the adminisher to their manufacture, and to submit the United States, requesting them to send me the United States, united the United States, uni propitiate the favor of our conquerors by furnishing aliment to their unjust prejudices, have sought to make the impression, at the North, taches to those who had held office and taken aought to make the impression, at the North, taches to those who had held office and taken that freedmen and Union men could not have this oath, than to others who owed like allegiistice at the hands of our courts. To this end ence to the United States; is a lawyer who had missaries have been employed to traverse the ountry and record ex parts statements to cast belvion, less guilty than a constable or a postustice at the hands of our courts. To this end ountry and record ex parts statements to cast odium on the administration of justice—petitions have been covertly got up by some of our the oath and afterwards given sid to the rebelown citizens and sent to the President of the lion? If it be said that the dispensing power United States, charging disloyalty to our people and favoritism to our courts, to embitter against us the virtuous classes of the North. Amongst us these machinations are well understood. The virtuous and intelligent men of the North who have settled among us, and especially the soldiers who stood in front of the fight, on both sides, in the late conflict of arms, despise these slanders. Through the agency of whole-souled men public opinion, it is hoped, will soon reach a healthy state. Our judges, unmoved by these unworthy imputations and unawed by intimations that they would be suspended from the exercise of their functions, if their adjudications did not accord with the dominant power, have silenced slander itself. No murmur is now heard against the fairness with which justice is administered in our courts. The fearful increase of crime, the natural sequent of a civil war in which disrespect for the rights of non-combatants was authoritatively countenanced, if not encouraged, is being rapidly repressed, and reverence for justice is having its natural triumph. Our Legislative Department has been anxiously endeavoring to alter our Code to suit our novel situation, and to bring order out of chaos produced by the late convulsion. This review of our national affairs brings us to the present

In June last I received from the Hon. Wm. H. Seward, Secretary of State of the United States, a communication herewith transmitted to you, covering an attested copy of a joint resolution of Congress, proposing a fourteenth article as an amendment to the Constitution of the United States. It proposes-First, -That "all persons born or naturalized in the United States and subreorganization; that while the States existed, and | ject to the jurisdiction thereof, are citizens of the the Union had been preserved, there were, in United States and of the State wherein they rethese States, no legislative, judicial or execu- side." Second, That "no State shall make or enive officers, lawfully constituted. To enable force any law which shall abridge the privileges these States to reform their Constitutions, and or immunities of citizens of the United State. the machinery of their governments, he granted | Third-That "no State shall deprive any person amnesty to the people who had favored the re- of life, liberty or property, without due process bellion, -with certain exceptions, on the con- of law, nor to deny to any person within its judition of their renewing allegiance to the United risdiction the equal protection of its laws,' Fourth, That "representatives shall be apportiontution, -reserving the right to grant pardons, ed among the several States according to their upon special petitions, to such individuals of respective numbers, counting the whole number the excepted classes as he might deem deserving of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, representa tives in Congress, the executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the contest arises; but, if Congress is hereafter to number of such male citizens shall bear to the whole number of male citizens twenty-one years ty in the States, and the guarantee of equal proof age in such State." Fifth, -That "no person shall be a Senator, or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may, by a vote of twothirds of each House, remove such disability."-Sixth-"That, the validity of the public debt of the United States, authorized by law, including debts incurred for payment of Pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned." Seventh, -That, "neither the United States, nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the U. S., or any claim for the loss or emancipation of between the late belligerents. We elected Senaany slave; but all such debts, obligations and claims shall be held illegal and void.' Eighth. -That "the Congresa shall have the power to enforce, by appropriate legislation, the provi-

sions of this article."

The Constitution provides that "the House of

Representatives shall be composed of members,

chos en every second year by the people of the several States," and that "the Senate of the U S. shall be composed of two Senators from each State." This proposition is not made to us by a Congress so composed; this State with eleven others, being denied representation in the body which proposed thus to amend the fundamental law. It was the clear intention of the Constitution that every State should have a right to representation in a Congress proposing alterations in the original articles of compact; and on this account, alone, no State, protending to have rights under the Constitution, can, with proper scrupulousness or dignity, ratify an amendment time, I trust, we shall meet events as they arise planes for the carpenter, &c.? If not, what is thus proposed. It is remarkable that this pro- with a reasonable and manly fortitude, ready at he to work at? Or if he be not a machanic, posed amendment contemplates, under one article, all times to fulfil our duties as patriotic citizens, what is he to work at? Certainly not at farmto change the Constitution in eight particulars, but under no circumstances willing to sacrifice ing. This would require the keeping of mules ifest requirements of enlightened policy, that the some of them altogether incongruous to be ratithe honor and rights of the State, as a member of or horses, with uncertainty whether any, or how the Union; not in the sense of the advocates of many convicts would be sent to the work house. such of them as we approve and reject thoso we disapprove. This is the first attempt to introduce the vice of omnibus legislation into the moderate men everywhere, North and South, begrave matter of changing the fundamental law. In 1789, Congress proposed to the States, pursuious as I was to avert the late war, and have at
ant to the 5th article, of the original constitution
all times been to compose our troubles on the
basis of the Union as our fathers framed it, I
twelve new articles, as amendments. Ten of The resolution, by which these articles are submitted to the States, authorizes the States to ratify " all or any of them." Ten of them were ratified-two were rejected. Each of the other three have, therefore, no hesitation in recommending fine and costs by apprenticing themselves. amendments which have been adopted, to wit; that it be not ratified. of the Constitution, and not in partizan legisla- the eleventh, recommended in 1794; the twelfth in tion. In the matter of electing our Senators and | 1803, and the thirteenth in 1865, was confined to presentatives to Congress every citizen who had one matter. To some of the provisions of this sed fourteenth article, constitutionally, submitted to us, there would probably be no objec- Their habits illy fit them to provide for their intion. To others, or to the heterogeneous whole, dispensably daily wants. Nothing can be more it is hoped the State will never give her assent. absurd than the supposition that the great body A commentary on all the proposed amendments of them can now participate in Governmental af-would make this document inordinately long.— fairs with any discretion. A very few of them A few remarks on one or two of them, may not are discreet and virtuous, and have considbe inapproprite. Under our laws, made in con- erable intelligence ; and when the State shall be formity to the Coustitution of the United States, every one of the following State officers, who en- extraneous interference, I do not doubt that the tered on the discharge of his duties prior to the 20th day of May 1861, took the oath to support | them, in the elective franchise, will be candidly the Constitution of the United States, viz: the | considered. To grant universal suffrage to them Governor, Judges of the Supreme and Superior now is manifestly absurd. Courts, Public Treasurer, Secretary of State, Comptroller, Justices of the Peace, Sheriffs, Clerks of the County and Superior Courts, Clerks apart from passion and party politics, would and Masters in equity, Clerk of the Supreme embarrass the wisest statesman and philanthro-Court, Constables, County Trustees, Coroners, pist. Unhappily, our present condition does not Registers, entry-takers, processioners, rangers, allow such calm consideration. At present it standard-keepers, surveyors, every officer of the blends itself with our national affairs. From the militia, Attorney General, State and County So- earliest period of our history under the Nationlicitors, every member of the General Assembly. al Union, it has been the cause, or the pretext and every other officer holding any office of tru-t for sectional strife. Disunionists North and or profit in this State, every lawyer was likewise South, have constantly used it to alienate one required to take it, though the right to practice section of our country from the other. When law has not been held to be an office of trust or these strifes at last culminated in war and slaprofit. The persons who had held these offices very was suddenly abolished, and the South prior to the war comprise a vast proportion of thereby grievously impoverished and constrained the population of the State. All postmasters to accommodate itself to a violent change, more and others who had held office under the United suddenly introduced than the teachings of expe-States had also taken this oath. The classes

embraced the great body of the intelligence of the State. When war had been inaugurated, -when one section had confronted the other in military dominant St., and the recent elections in the conflict,—when personal security compelled obedience to those in de facto authority, who, of all proper to refer to the actions of the people and these classes of officers, who remained in the the authorities of this state, in the interim of State, did not join his own section in the fight, extraordinary national movements. Not a or give "aid and comfort" in the technical sense position to protect the recently emancipated of this phrase, or in the sense which future inslaves from aggression on the part of the white the sense who did people of the South, and new and strange tributed where a state of the sense who did people of the South, and new and strange tributed the sense who did people of the South, and new and strange tributed the sense who did people of the south, and new and strange tributed the sense who did people of the south, and new and strange tributed the sense who did people of the south, and new and strange tributed the sense who did people of the south, and new and strange tributed the sense who did people of the south, and new and strange tributed the sense who did people of the south, and new and strange tributed the sense who did people of the south, and new and strange tributed the sense who did people of the south, and new and strange tributed the sense who did people of the south, and new and strange tributed the sense who did people of the south, and new and strange tributed the sense who did people of the south, and new and strange tributed the sense who did people of the south, and new and strange tributed the sense who did people of the south, and new and strange tributed the sense who did people of the south, and new and strange tributed the sense who did people of the south, and new and strange tributed the sense who did people of the sense who di these extraordinary national movements. Not a or give "aid and comfort" in the technical sense guerrilla party existed in the late rebellious of this phrase, or in the sense which future injoin in it? Scarcely a man remained among us nals were instituted among us to manage this the surrender, to require a posse or other aid to who can conscientiously say that he gave no steering long after hostiliexecuted their duties in a manner which would ring that conflict. But strange to say?—this criminal, over whites and blacks, as to all mathate them children having no father to guide them. have given justife to the judiciary of any period amendment leaves eligible to office any one who ters to which a freedman was a party, and rest. them, children, having no father to guide them; in the bird to the judiciary of any period amendment leaves eligible to office any one who ters to which a freedman was a party, and rest. in the history of the world. The steadiness with whom such chills whose patents had been approved and who were has at last extorted praise even from those who,

master, or other inferior officer who had taken lion? If it be said that the dispensing power reserved to two-thirds of Congress may be relied on to prevent any special hardship, it is inconceivable how so large a body, charged with so many more important duties, could exercise this power with justice or discretion. If this amendment should be ratified, it is believed that not a single one could be found in the State who was, before the war, a Governor, a Judge of the Supreme or Superior Court, a member of Congress, or member of the General Assembly of this State who would be eligible as a county register or village postmaster, without this dispensation of two-thirds of Congress. The advocates of this amendment urge that if we ratify it representation in Congress will be conceded to us; and that, if we reject it, we must expect, from the dominant party in Congress, calamities still more dire than we have yet felt. There is no warrant for either assertion. It would have been as unbecoming in Congress to offer it to us under any such promise, or such threat as it would be degrading to us to ratify it under such circumstances. It should be considered solely in reference to its fitness to form a part of the fundamental law of a country claiming high position among enlightened and Christian nations. The fifth section of this proposed article has the same import, and is intended to convey as much power, as if it were repeated at the end of each one of the four preceding sections. The original Constitution, inclosing the catalogue of the powers of Congress, gives the authority "to make all tion in the Government of the United States grating to them, under their immediate guardior any department or officer thereof, this authority has always been understood to apply protection and mental and moral culture, much to power conferred on the government of the more discreetly than they can by a Freedman's United States, by amendments subsequently Bureau, or any other machinery while they remade, and has repeatedly received the consider-ation of the judiciary. If the design of this fifth I am sure North Carolina will not

it is the fact that a municipal code is provided under the jurisdiction of each State, by which all controversies as to life, liberty or property, except in the now limited field of Federal jurisdiction, are determined by a jury of the county or neighborhood where the parties reside and the become the protector of life, liberty and propertion to declare a system of rights and remedies, which can be administered only in the Federal cers of justice must be transferred to the few points in the State where these courts are held. and to judges and other officers, deriving and holding their commissions, not from the authority and people of the State as heretofore, but from the President and Senate of the United States. The States, as by so much, are to cease, to be self-governing committees as heretofore. and trespasses against the person, assaults and batteries, false imprisonments and the like. where only our own citizens are parties, must be regulated by the Congress of the Nation and adjudged only in its courts. I cannot believe that the deliberate judgment of the people of any State or any section will approve such an innovation, for although its annoyances may be ours to-day they must expect them to be theirs to-morrow. The people of this State, with a singular approach to unanimity, are sincerely desirous of with the American Union. In the face of cir-

have paid its government the taxes ef former years, laid when another de fac o government whose powers they could not have resisted if they would, was making levies in money and kind almost greater than they could bear; they acquiesced in the extinction of slavery, which annihilated more than half their wealth; they dict or explain the most exaggerated misrepreing calculated to perpetuate the Union; but its

ate sectional alienation and estrangement, and I

left free to manage her internal affairs, without question as to what share ought to be granted

What ought to be done in reference to this race, if its consideration could be approached rience would seem to warrant, all patriotic men looked for national repose, as a set-off. The one great theory of our government, which was supposed to be settled, was that each State should manage its own internal affairs, but so far from the abolition of slavery having composed our sec-tional differences, it has only intensified them, the negro being still the subject of strife. The North claimed that humanity required its inter-

pursued is obvious, if the parties to the con- our laws requires amendment. When a child is contract with Jewitt & Co., at seventy dollars are continually receiving large accessions by our pursued is obvious, if the parties to the controversy sincerely desire reconciliation. The cause of the trouble is the unequal distribution of the race between the sections. The plain and practical remedy is their more equal diffusion. Existing circumstances invites such diffusion. Existing circumstances invites such diffusion. The property of the contract with Jewitt & Co., at seventy dollars for each leg and fifty dollars for ea

and practical remedy is their more equal diffusion. Existing circumstances invites such diffusion. The people of the South (whether from prejudice or not is immaterial, to the view I take) do not regard the negro as their equal. He is not allowed the right of suffrage. The North insists that this prejudice of the South does cruel wrong to the African. Among us they are very poor, and few of them have acquired local attachments by ownership of land. The results of emancipation and war have made the whites poor also; and the uncertain condition of our federal relations prevents the influx of capital or population. Enterprise is paralyzed. Few ard all orphan children within their county, that have not guardians, if not bound out to some able to employ laborers and pay them liberally. On the other hand the dominant States are rich. In all of them the wages of labor is much greater than we can pay. In many of them are public lands of great fertility which the laws give to the actual settler at a nominal price. In one of the settler at a nominal price. In one of the settler at a nominal price. In one of the settler at a nominal price. In one of the settler at a nominal price is many declare fit subjects of apprenticships and that it be made the duty of the county at substantial earnest of the principles they profess by electing two Africans as members of their county, at each term, to give the act in charge to state Legislature. Everything seems to invite the capture of this documy as might choose to do so, they them to occupy as might choose to do so, they the provisions, which they could bring at no expense except for provisions, which they could bring at no expense except for provisions, which they could bring at no expense except for provisions, which they could bring at no expense except for provisions, which they could bring at no expense except for provisions, which they could bring at no expense except for provisions, which they could bring at no expense except for provisions, which they could bring at no expense except for provisions, which they could bring at no expense except for provisions, which they could bring at no expense except for provisions, which they could bring at no expense except for provisions, which they could bring at no expense except for provisions, which they could bring at no expense except for provisions, which they could bring at no expense except for provisions, which they could bring at no expense except for provisions, which they could bring at no expense except for provisions, wh State Legislature. Everything seems to invite their emigration to the dominant States—but most of them are too poor to pay the expenses of moving. This difficulty may be overcome by diverting the appropriation made to sustain the Freedmens' Bureau, to defraying the traveling expenses of those who may choose to move, allowing each one to choose the State or territory to which he would go. When thus left free and aided to go where they may think their condition will be bettered, no grounds will be left for further sectional strife as to their government. Who that would avoid the rock on which our ship of State is threatened with wreck, will laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitu-

section is simply to re-affirm the long establish- this scheme. It it be objected that the emigraed principle of power necessarily implied under tion would be so universal as to leave us for a the provision just recited, it is needless surplus- | time, without a sufficiency of laborers, and it be age; but if, as its special insertion indicates, it conceded that this would be the result, who is intended to amplify the various powers which | would not prefer to perform servile labor until would be reasonably implied from the sections other labor could be procured, to the inquietude which precede it, and to give to Congress a pecu- and humiliation to which we are now subjected? liar authority over the subjects embraced in the But, such would not be the result. North proposed fourteenth article, it is mischievous and | Carolina means to treat her freedmen with justice and humanity. Very many of them retain tem of freedom which gives to it practical value, they formerly felt towards their late masters, and these reciprocate the feeling and pay them fair wages, and give them every reasonable aid to On being notified by a citizen, to whom negro the resignation of Dr. Haywood, after a few better their condition. Although we may be children had been bound as apprentices by the months service, I obtained the consent of Dr. national reconciliation to the Congress of the United States. Whether the suggestion be caring been declared null by authority of the offical, in the discharge of their duties. The jourried out or not, it behooves us to consider what cers of the bureau. I had had no previous no. nal of our proceedings are open for your inspecthe welfare of the State requires us to do in spe- tice that such interference was contemplated. In tion. We have endeavored to do everything we cial reference to the African race among us. The reply to a letter of inquiry which I thereupon deem compatible with the laws and consistent task which the sudden emancipation of so many addressed to Brevet Major General Robinson, the with enlightened benevolence, to diminish the slaves imposed, if we were allowed to undertake Assistant Commissioner of the Freedman's Bu. expenses of the Institution. Your attention is it without interference, would be a most difficult

the dockets that little attention could be given parents; children over fourteen years of age will to civil suits, and our jails are still crowded. not be bound out as apprentices under any cir-Stealing, formerly regarded as the meanest of cumstances. Col. Rutherfird will see that the crimes, and of unfrequent occurrence in this above rules are strictly carried out, and will at State, from the manner in which the late war once cancel all indentures not made in conformwas conducted and other causes, has come to be | ity therewith." This order. if carried into effect regarded as a rather veniable offence. The ac- substantially annuls, as I conceive, the powers tion of our Courts has done much to check it. It is still frightfully common. Negroes compose correspondence on the subject is not concluded. much the larger class of these offenders. Much the larger number of convicts, of all colors, are insolvents, and the expenses of their prosecution and imprisonment swell largely the frightful a restoration of their constitutional relations burthen of taxation under which our impoverished people are laboring. This evil must be remedied, if possible.

Under our existing laws recently enacted, power is conferred on the Justices of the Peace to erect work houses for their respective Counties, in which insolvent convicts should work tion, The erection of proper buildings will cost much. Counties cannot bear the expense of Senators and Representatives from the halls of the escape of prisoners. The salary of the Su-Congress, where they have had no one to contra- perintendent and other employees, must be considerable. How can the convict be comsentations, or evan to make known their griev- pelled to labor? What is he to work at? If a ances. How long this unnatural condition of machinist, is it contemplated to supply each our relations is to continue, it seems, we shall County work shop with the necessary tools and be allowed to have no share in determining. No materials? Is leather to be provided for the time has been set, and no conditions proposed, shoemaker and saddler; coal, anvil, hammer on which it may be terminated. In the mean- and bellows for the blacksmith; plank and secession, but as taught by Iredell and Marshall The superintendent could not pitch his crop in and Story and Kent and Webster, and in which uncertainty whether he would have any hands or how many he would have, and almost a certainty that when he put his convict in the field to work fore the war, were supposed to concur. Anxious as I was to avert the late war, and have at he would run away. I submit whether it would ball and chain, on the highways or other public tendency seems to me better suited to perpetu-tendency seems to me better suited to perpetu-works of the Counties, allowing them, as pro-vided in our County work house act to raise the

PENITENTIARY. As to convicts for the higher grades of crimes I think a penitentiary should be erected. This Most of the African race among us were lately mode of punishment has been in long use in most of the States. It has never been tinued, so far as I am informed, in any State which has adopted it, and I regard this experience as decisive in favor of the plan. If this re-commendation be approved, I further recommend that provision be made for employing convict labor, as far as practicable, in the construction of the necessary buildings, and that a pro-per commission be constituted to carry out the design in the best manner PAUPERISM.

The number dependant for subsistence on pub lic charity is vastly greater than it ever was in any past period of our history. A benevolent feature of the Freedmen's Bureau was the issuing of rations to indigent blacks. This, I understand, will be, or has been discontinued. Large numbers of them, too old or inform to labor, and a still larger number of children, too young to labor, and without parents, or with parents not providing for them, must be cared for. In addition to these is the large number made dependent by the loss or the maiming of their parents in he late war. As to the number of these last I cannot furnish the statistics, contemplated by the resolution of the General Assembly of the the tenth of March last, the chairman of the County Courts of some three or four counties only, having sent me any returns, and these do not profess to be full and accurate. The pauper negroes, formerly supported by the master, must now go to the poor houses. I recommend a revision of the poor laws. I am not prepared to plan of lightning the heavy burthern which the proper care of the poor must soon impose upon

APPRENTICSHIP. I recommend a revision of our laws in relation to apprenticship. The future well-being of the State depends much upon the manner in which our children and youth are brought up. Great numbers of the rising generation, white and black, are growing up without proper training

master to bring up the child. Now when the welfare of the State requires the exercise of this power much more extensively than formerly, it is well to inquire whether something may not be done for the better protection and hearing of this class. In practice I fear, that the eminently wise and beneficent provision of our Statute, Rev. Code, Chap. 24, Sec. 18, has not been sufficiently observed. It requires the Grand Jury of every County annually, at the orphan's court, to present to the Court, in writing, the names of the Grand Jury. I suggest further that it would entire satisfaction to the maimed soldiers. I am tend much to the security and proper care of ap. much gratified with the successful and satisfacapprentices, if it were made the special duty of county solicitor to attend to the binding of each which gave me much anxiety and solicitude in apprentice and attest the indentures, with power beginning of the patent, and arranging the beginning of the work. I refer you for further

I have received from Thos. P. Devereux, Esq. an aged citizen, distinguished for his intellience, and long the owner of a large number of females to the age of eighteen, and colored fe- tion of the civil authorities, the males to the age of twenty-one years; and power sume her guardianship over it, is conferred on the court to bind as apprentice. Under the act ratified the tenth day of March with whom such children may live do not habit- Insane Asylum," vesting the government of the of the Union. At the beginning of my rents. I hope the law will be so altered as to and obtained the consent of five gentlemen, dis-

The most promment subjects demanding new blacks, in the apprenticing of children. No legislation is crime and pauperism, Our Courts | child whose parents are able and willing to suphave been'so occupied with the criminal side of port it, can be bound without the consent of the of our courts over minor children of color. The final decision shall be reached I will communicate it to you.

ADMINISTRATION OF JUSTICE. Soon after the adjournment of our Conven-Robinson, calling his attention to the fact that onr laws had been so reformed that no discrimination existed as to the administration of justice, to the prejudice of free persons of color .out the fines imposed and the costs of prosecu- He promptly issued an order, a copy of which accompanies this communication, dated July the 13th, 1866, restoring to our courts, with one have borne with patience the exclusion of their erecting around them sufficient walls to prevent exception; all cases to which freedmen are parties. This order relieved our people from one source of great annoyance. It has been faithfully observed on the part of the bureau, and the power so justly and wisely exercised by our courts, that nobody now doubts that the change

of jurisdiction was a proper one. Our anomalous condition, the boundaries of jurisdiction between the military and civil authorities being illy defined, has led to much correspondence between the Executive and Military Commandants of the State. It is spread out on my letter book, subject to your inspection. It

shows, as I think, a disposition on both sides, to avoid unnecessary conflict. For a time I was distressed by a portion of our people, who, by petitions addressed to the President and otherwise, charged upon our courts partiality and favoritism, to the prejudice of the United States' soldiers and negroes; and by reports tending to the same end, made to me by the military commandant of the State, covering complaints made to him, by certain of our citizons, who represented that they could not have justice in our courts. Investigation has shown these complaines to have had no just foundation, and the manifest fairness with which our judicial officers have held the scales of justice, has won the admiration of all. At one time these complaints seemed alarming. I deemed it of vital importance to ascertain whether there was any great grounds for them, and if they were found to be unfounded, to counteract their baneful influence. And, upon receiving from the military commandant of the State, a complaint from a citizen of Wilkes County, imputing grossly disloyal conduct to certain persons being organized as State militia, I deemed it necessary to send an agent, in conjunction with one appointed by the military commandant, to enquire into the truthfulness of these allegations. I appointed William S. Mason, Esquire, of this city. His report, as well as that of the officer sent with him by General Robinson, showed the groundlessness of the complaint. Mr. Mason bore his own expenses and performed this service, with the knowledge that I had no power to give a warrant for his compensation. His services were valuable to the State, and I trust you will have no hesi-

tation in giving him suitable compensation. ELECTION OF UNITED STATES SENATOR. The term for which the Honorable John Pool was elected United States Senator will expire on the fourth of Mrrch next. Although we have no indications how long it will be the pleasure of the dominant party in Congress, to exclude us from any participation in national legislation, we ought, as I think, to continue to perform on onr part, all our constitutional duties, among which is the election of a Senator, with all the qualifications prescribed in the Constitution; and I, therefore, deem it proper to call your attention to an act of Congress, approved July 25th suggest any specific alterations of them, but 1866, entitled "an act to regulate the times and hope your wisdom may be able to devise some manner for holding elections for Senators in Congress," a copy of which accompanies this

ARTIFICIAL LIMBS.

Under the resolutions, authorizing the furnishing of maimed soldiers with artificial legs, passed at the last session of the General Assembly, devolving on the Governor the duty of carrying the same into execution, I addressed a letter to the Sheriff of each county of the State, requesting him to report to me, at an early day, the number in his county who had lost limbs, distingufshing those who had lost legs, from those who had lost arms. I also addressed letters to

in every case where he may deem it expedient, to carry the case by appeal to the Superior Court, and that proper provision be made for his compensation for this service.

beginning of the work. I refer you for further particulars to the accompanying report of Mr. Ityan, who has faithfully and diligently kept the books and attended to all the details. LUNATIC ASYLUM.

The close of the war left the Lunatic Asylum in a most deplorable condition. On the occupation of this city by the United States army, the slaves, a letter on this subject, presenting many benevolent design of this Institution did not views and reflections, the result of his experience. protect it from spoliation. The fencing which transmit his letter with this message, and inclosed its grounds, some — acres, was torn I transmit his letter with this message, and commend his suggestions to your consideration. It has been the policy of the General Assembly, since the ordinance of emancipation, to so reform our laws, as to personal rights, that no distinction should exist to the prejudice of the blacks. I find some distinctions still exists as to blacks. I find some distinctions still exists as to blacks. I find some distinctions still exists as to blacks. I find some distinctions at large exercises the property of the programment of the blacks. I find some distinctions still exists as to apprenticeship, inadvertently overlooked I presume. Our laws require the binding of white

An embarrassing difficulty, as to the binding wit : Thos. Bragg, Geo. W. Mordecai, Dr. E. B. of negro children, has lately presented itself. Haywood, T. H. Selby, and C. Dewey, and, upon reau in this State, he sent me a copy of the or. invited to the report of the Superintendent, Dr. one. We must face it as it is, and do the best der under which his subordinates acted, in these E. C. Fisher, which I herewith transmit to you. we can for the common weal of the white and | words: "The civil courts will not be allowed to | indicating the particulars as to which we deem make any discrimination between whites and additional legislation necessary. It is believed that it presents a full and fair showing of the management of this great charity, and its future wants. The whole of the appropriation for its support has been exhausted. A further appropriation will be needed at an early day to lay in supplies for the coming year. We did not construe the act making the appropriation for the support of the Institution this year, as contemplating the payment of sundry debts centracted for supplies, salaries, &c., towards the close of the war and afterwards. We have had deemed equitable. We submit a report of the amount which, we think, ought to be paid to each of these creditors—and I recommend that an appropriation be made for their recommend that AGRICULTURAL COLLEGE.

> we received some months ago, the scrip for one hundred and seventy thousand (170.000) acres of P blic lands, being one share of a donation of public lands, by Congress, to aid in establishing colleges in the several States and territories, to mpart instruction in Agriculture and the Mechanic Arts. By the second section of an Act of the General Assembly, ratified the fifth day of March 1866, the Public Treasurer is empowered. by and with the advice of the Governor, to sell this land and invest the proceeds in stocks of the United States, or of the States, or other safe stocks, yielding not less than five per centum interest. Owing to the Homestead law, which grants limited quantities of the public lands to actual settlers, at a nominal price, our scrip if now prt in market, will bring little more than fifty (50) cents per acre. It sold at this price, the endowment of the proposed college would be very small, and in the present unsettled condition of our country, the election of the Stocks in which the investment should be made, is most embarrassing. The low price of our ante bellum bonds invites investment in them, if the State shall be allowed to recuperat and keep faith with her ereditors, which I hope and believe will be the case; but, in the painful uncertainty which clouds the future, as no damage could be foreseen from a little delay, we have declined the responsibility of making a sale, and deciding in what stocks the proceeds should be invested; and we respectfully ask for more specific instruction from your honorable body. I am sure the State will theartily co-sperate in adopting the most efficient means of carrying out the descience to the chief elements of American strength and prosperity. The inquiry arises, how can this object be most efficiently earried out in this State? Our University, which our Constitution requires us to sustain, has lost the bulk of its en-

It will be seen by the able report of our Pub-

ic Treasurer, which, I herewith transmit, that

dowment, by the insolvency of the bank of North Carolina. It has buildings adapted to the aca tract of land containing many hundred acres of good agricultural land, with only about one hundred students with large libraries, a very extensive Geological Cabinet, and other facilities for imparting scientific knowledge. It appears to me that the best mode of carrying out the will of Congress, will be the engrafting of one University of an Agricultural and Mechanical Department. A like course has been adopted, or is under consideration, in several of the Northern States. Our indefatigable Public Treasurer has corresponded with the Treasurers of many of these States on the subject, and will take pleasure in giving to any committee, to whom you may give this matter in charge, the benefit to be derived from the action of other States. The subject deserves your special consideration. INTERCHANGE OF LAWS, SUPREME COURT RE-

Our statistics and the decisions of our Supreme Court, since the re-organization of the State government, have been forwarded to the several States and territories; and we have received, and are constantly receiving, large numbers of volumes in exchange. New York sent us one hundred and fifteen (115) volumes, and many of the other States a considerable number. Ma sachuoetts, and some other States, through their proper officers, have asked us to make their sets of our Supreme Court Reports complete, by sending them the reports of the decisions made by our Court during the war. We have been un-able to comply with these requests, because, if they were printed in sufficient numbers, they have been lost. Many of them were unbound and poorly printed on bad paper. I suggest the expediency of re-printing new editions of them.

PORTS. &C.

PUBLIC LIBRARY. I loarn from the Librarian that he will soon

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TERMS OF SUBSCRIPTION.

duties, I found that the standard of weights and measures, belonging to the Srate, were missing. Many counties which had lost a part or all of their standards of weights and measures heretofore supplied by the State, were applying for new ones, On application to the Secretary of the Treasury, a new supply was sent; and, in the meantime, I addressed a circular to the Chairman of each County Court in the State, to ascer tain what measures it would be my duty to provide for them, under the provisions of chapter 117 Revised Code.

I could not centract, with discretion, for the manufacture of these measures, until I knew the whole number to be supplied. Very many of the chairmen did not respond. I sent a second circular, to the county court clerks, and have now an answer from nearly all of them. I respectfully supmit that the details of this duty ought not to be imposed on the Governor, or that he

A well regulated militia is essential to the administration of the Stafe government, as well "the children of free negroes, when the parents last, "to secure a better government for the as to the discharge of her duties as a member ually employ their time in some honest, indus- institution in five supervisors, to be biennially tration, total disorganization of the militia existtrious occupation." There is no provision for appointed by the Governor, and the Governor to ed. Under the act of the General Assembly, binding white children so neglected by their pa- be ex officio chairman of the board, I solicited passed the 12th day of March last, I appointed John A. Gilmer, Jr., Adjutant General with in abolish these discriminations, and all others, if tinguished for capacity and benevolence, and all structions to carry out the provisions of said act. any others be found to exist.

The duties to be performed were twenty times greater than they were before the war. Nearly five thousand officers had to be elected, commissioned and qualified—proper records to be kept—a correspondence to be conducted with every county in the State, and innumerable other diffiunable to perceive anything to encourage our efforts in the past history of the race, I respectficer of the freedmen's bureau, that such binding the vacancy. These gentlemen are entitled to fully recommend that you propose this plan of would not be respected, and that he was required the State for their diligent effort, this officer, when the services were comparative. ly light, was two hundred dollars (\$200) a year. This was not altered by the act of last March .-Believing that this was an oversight, and that entered zealously upon the dischatge of his du-ties. I herewith submit his report, and commend it to your careful consideration.

AUDITOR AND COMPTROLLER. By an act of the General Assembly these offices were consolidated and no Clerk allowed .-The duty of auditing claims, imposed on this officer, his decisions being final, and subject to no supervision, require an officer of firmness and capacity, and the extensive book-keeping, and methodical arrangement of the papers pertaining to his duties as Auditor and Comptroller. require much labor. I recommend an inquiry whether judicious economy does not require an COURTS OF OYER AND TERMINER.

I have considered it my duty, in a few instanmuch trouble in scaling these debts, mostly on hold Courts of Oyer and Terminer; but after full the basis of Confederate mony. If adjusted acinquiry and careful examination of the laws, I

Part as shall leave no ground for doubts.

REFAIRS OF THE STATE HOUSE.

Under the provisions of the resolution passed by the General Assembly, in March-last, authorizing the Governor to make needful repairs on the State House, and under the powers conferred upon the Governor. Secontary of the State, Public Treasurer and Comptroller, by chapter 103 of the Revised Code, we have caused such repairs to be made to the Capitol, and such additional furniture supplied to the Halls and offices as we deemed used sary; and the Governor and Puplic Treasurer, in obedience to a resolution of the Convention of the 20th day of June, 1866, have had the necessary gas fixtures put up for the lighting of the Halls and rooms of the Capitol. We have executed these duties with as much Capitol. We have executed these duties with as

I have received a communication from Gen. B. E. Colston, Superint ndent of the Hillsboro' Academy, which accompanies this message, generously offering gratultously one scholarship in his Academy to one young man from each Congressional District in this State, and one scholarship to one young man from the State at lar ge to be designated by the Governor. The Institution askin no pecuniary aid from the State. Poor young man will be unable to avail themselves of this opportunity to acquire a scientific and military education in this distinguished Seminary of learning, without aid to pay their board. I submit this subject to you, in the hope that you may be able to offer some aid or encouragement to this generous design. HILLSBORO' MILITARY ACADEMY.

ASYLUM FOR DEAF MUTES AND THE BLIND.

It should be a matter of just pride that in suite of the exhausting drafts of the war and its impoverishing results, the State has never ceased to care for the unhappy inmates of her Asylums, and that both are still performing their works of benincence. The reports of the President, Directors, Principal, Auditor and Treasurer, of our Asylum for deaf mutes and the blind, which I here with transmit to you, exhibit this Institution as steadily executing, with undiminished viger, the benevolent purposes for which it was oresied. I commend that

to your careful consideration.

PUBLIC SCHOOLS AND INTERNAL IMPROVEMENTS.

As President of the Boards of Literature and of Internal Improvements, I shall submit to you additional messages, at as early a day as practicable, founding the mat-

I have not commented on our finances, the expediency of establishing Banks, or other means of supplying a sur-rency and relieving the debtor classes of our people, because my administrative duties have so fully engrossed my time that I have been unable to mature any plans on the subjects, which I could confidently recommend proper to be adopted. As to our fluences, I have nothing to add to the suggestions of the Public Treasurer, which

I endorse.

For the large number of persons reduced from a ence to [poverty, without fault of theirs, and still pressed with debt, and still larger class, who still ha moderate competency, but are beset to find the measupplying their indispensible wants, and meeting inexorable demands of the lax collector, feel the profound asympathy, but I fear you inexorable demands of the lax collector, feel the most profound sympathy, but I fear yeu can do little for their relief. They should pla e their great reliance upon individual industry, and economy and sobriety, and arrangements and compromises between debtor and creditor, and expect little from gov rament beyond the protection of their rights. The mutual interest of debtor and creditor, generally indicate the proper bases of settlement. In the case of a "Shylock" creditor, the existing law furnishes the debtor with a remedy, by a deed of trust and otherwise, for bringing the creditor to terms by preferring the more lement ones. The peculiar croumstances of each case will indicate the best adjustment between debtor and creditor. The wholesome provision of the Constitution of the United States, which forbids a State to pass any law impairing the obligations forbids a State to pass any law impairing the obligations of a contract, should be faithfully observed, as should be all our constitutional obligations; and in the end, the State and individuals will reap the reward which always

There is much to occasion the gloom prevailing through the state. It has been exhibited in various ways. out the state. It has been exhibited in various ways. The growing indifference of our people, in all the elections which have lately occurred, is greatly to be depleted. Let us never despair of the Republic. Our time-honored axiom "that all political power is vested in and derived from the people only," will have become an unprofitable dec aration of principle, when the people shall cease to take an interest in elections. There is much in the review of the recent past to forbid despondency and encourage hope. Our State has not been afflicted with war, or petilence or famine. Although we have not been blest everywhere with propitious seasons, in much the larger part of the State, the toils of the farmer have been abundantly rewarded. Our courts, for months, have been exercising full jurisdiction, without interference by the military of the United States, (except in the matter of apprenticing colored children, which it is hoped will be soon satisfactorily arranged,) and as a consequence, crime is being repressed, and the orderly citizen feels the protection of the law. Time and the action of the courts have done much to moderate the summonities and restore the good feeling which existed avenue. have done much to moderate the animonities and the good feeling which existed among us. We have much advance towards restoring the respect for order, which formerly distinguished our people class s are becoming more steadily industrious, stitut one of learning are reviving, and their is nu g ber of pupils is highly encouraging. We should protoundly thankful for the blessings we enjoy and deavor, by mutual forgiveness and charity, and in all actions, to deserve the future favor and guidance of