from the Illinois. But ſoon after the diſcovery and opening of the Mine a Burton, the Mine a la Mott was in a great meaſure abandoned; the mineral at the Mine a Burton being much eaſier melted. The Mine a la Mott, is at this time claimed as private property, in conſequence of which the inhabitants in general, are denied the privilege of working; therefore the annual quantity of lead is greatly reduced. For the years 1802 and 1803, the quantity of lead made at the Mine a la Mott, did not exceed two hundred thouſand pounds weight, although about thirty men were employed from four to ſix months in each year. It is evident, that fifty men, under a proper manager, with a good ſmelting furnace, might produce five or ſix hundred thouſand pounds weight of lead per annum.

It is difficult to ſay what part of the mine is private property, but from the beſt information about fifty or ſixty acres have been granted at different times. The mine although not ſo extenſive as the Mine a Burton, is ſuppoſed to comprehend a much larger boundary than what is granted to individuals, and may be of conſequence to the public. The river St. Francis will not admit of navigation for an hundred miles below the mines, therefore the produce of the mines muſt be tranſported by land to St. Genevieve, which is the neareſt to water carriage.

10. Mine a Gerbore, on the waters of the river St. Francis, eighteen miles north of the Mine a la Mott, is alſo a diſcovery of Ranault, who made an explo ement in 1745, but not finding ſilver ore, the principal object of his reſearches, he abandoned it: After which it was wrought by a M. Aura and others, until the Mine a Burton was diſcovered, when it was again abandoned. The old diggings are extenſive, but the quantity of lead produced, I have not been able to aſcertain. It is ſaid to be equal to any of the mines in the country. The commandant of New Bourbon, has a conceſſion of a league in ſuperfice, comprehending the mines.

GENERAL OBSERVATIONS.

Within twelve months paſt, ſeveral diſcoveries have been made near the Mine a Burton. Valuable lead mines have been likewiſe diſcovered, about two hundred miles up the River Merimak; ſome of the mineral I have ſeen, which is of a good quality. In ſhort, the country for twelve or fifteen miles round the Mine a Burton, exhibits ſtrong appearances of mineral. In all the ſmall creeks mineral is found waſhed down from the hills, and it is not uncommon to find in the draughts leading to creeks and rivers, and in gullies made by the ſpring rains, mineral in pieces from ten to fifty pounds weight brought down by the torrents; Some hundreds have been collected in this way. No country yet known furniſhes greater indications of an inexhauſtible quantity of lead mineral, and ſo eaſily obtained. One motive to render the mining buſineſs generally advantageous is, that every farmer may be a miner, and when unemployed on his farm, may by a few weeks labour, almoſt at his own door, dig as much mineral as will furniſh his family with all imported articles. From a view of the lead mines in Upper Louiſiana, it may be ſeen that nothing is wanting but an increaſe of population to augment their produce to a ſurpaſſing degree. It is alſo evident, there are valuable diſcoveries yet to be made. It may therefore, be matter of conſideration with the government, whether the donation of four acres in ſuperfice to the diſcoverers of mines, would not be advantageous to be continued. The Spaniſh government has alſo allowed the inhabitants to work on public lands, free from any kind of tax. A continuation of this privilege will exhauſt both the mines and timber, without the leaſt advantage to the public. On the other hand, if a heavy impoſition is impoſed, it may diſcourage the mining buſineſs; yet, the man who can with his pick and ſhovel make his thirty, forty, and ſometimes his hundred dollars per month, may well afford to pay a ſmall tax to government.

The country about the mines is broken, but not mountainous, and furniſhes the beſt of land for cultivation, and ſtreams of water ſufficient for all kinds of water works. Grand river riſes ten miles ſouth weſt of the Mine a Burton, and in its courſe forms nearly three parts of a circle round the mines, and loſes its name in the Fouche Ranault, which is navigable to the Miſſiſſippi; They unite ten miles north of the Mine a Burton, and it is remarkable, that in forming this circle, its diſtance from the mines does not exceed fourteen miles in any one place. It alſo furniſhes both land and water, of a ſuperior quality, ſufficient for eight or nine hundred families.

I one ſituated the time cannot be far diſtant, when this country will furniſh lead ſufficient, not only for the conſumption of the United States, but all Europe, if moderate encouragement is given by government, and protection againſt the Oſage Indians, who yearly plunder the inhabitants.

The mines, on the waters of the St. Francis, are capable of furniſhing vaſt quantities of lead. The Mine a la Mott, has been ſtiled the Gold Mine, as deſcriptive of its wealth; and if under proper management would verify the obſervation.

From the annexed eſtimate, it will be found, that the groſs produce of all the mines now occupied, amounts to thirty-ſix thouſand five hundred dollars. The whole number of workmen employed, including miners, ſmelters, wood-cutters, and carters, has not exceeded one hundred and fifty men, of which number, one hundred and twenty may be ſuppoſed to work four months, and the remaining thirty, the year round. From this calculation it would be found, that each man employed in the buſineſs averages forty three dollars per month.

To this may be added the increaſed value on one hundred and twenty thouſand pounds weight manufactured at the Mine a Burton into ſhot and ſheets, which makes the export valuation forty thouſand and one hundred dollars per annum, the average produce for three years paſt. Admitting one thouſand men to be employed the year round, at the different mines now known, and the quantity of lead produced to be in proportion to what is now obtained by one hundred and fifty men, a ſuppoſition by no means extravagant, the proceeds are found to amount to five hundred thouſand dollars and upwards. This calculation, perhaps, by ſome, may be deemed incredible, but the riches and extent of the mines juſtify the calculation.

An eſtimate of the produce of the ſeveral mines.

Mine a Burton—550 thouſand lbs. mineral, eſtimated to produce 66 2-3, is 366,666 2 3 lbs. lead at dollars 5, is -	18,333 33	
To which add dollars 30 (on 120 thouſand lbs. manufactured) to each thouſand, is -	3 600 00	
		21,933 33
Old Mines—200 thouſand lbs. mineral, eſtimated to produce 66 2 3 is 133,333 1 2 lbs. lead at dollars 5 per cwt. is	6,666 67	
Mine a la Mott—200 thouſand lbs. lead, at dollars 5 per cwt. is	10,000 00	
Suppoſe at all the other Mines 30,000lbs. lead at dollars 5, is	1,500 00	
		18,166 67

Total amount, is - - dolls. 40 100

When the manufacture of white and red lead is put into operation, the export valuation will be conſiderably augmented on the ſame quality of lead.

The following table will ſhew the preſent population of the Mine a Burton and its vicinity.

Diviſion of Settlements.	Diſt. from Mine a Burton.	American Families.	French Families.	Whole number of inhabitants.
Mine a Burton, including ſeveral plantations,	- -	- 14	- 12	Suppoſe each family to conſiſt of 8 perſons, the whole number will be 728 ſouls.
Bell View,	- 10	- 20		
Old Mines,	- 5	- -	- 15	
Grand River,	12	- 30		
Total,		64	27	

In June 1799, when I removed my family to the Mine a Burton, the whole number of inhabitants ſettled on Grand river and its waters, did not exceed ſixty-three or four perſons, conſiſting of eight families.

N. B. Some late tranſactions, by order of the governor of St. Louis, if valid, will entirely change the ſituation of the public property within ten miles of the mine a Burton. Surveys of all the lands worthy of notice, have been made with an intention to include every ſpot of land ſuppoſed to contain mineral. Theſe ſurveys amount to thirty or forty thouſand acres, and have been made, except in a few inſtances, ſince the firſt of the preſent month.

The above obſervations and eſtimates are as accurate as the nature of things would admit, and the ſhortneſs of time I have had to collect information: All of which are ſubmitted with reſpect.

MOSES AUSTIN.

February 13, 1804.

Copy.

New-York, November 10.

SPEECH OF THE GOVERNOR.

Gentlemen of the Senate and Aſſembly.

You were adjourned to this early day to enable you to execute a truſt important and intereſting as any that can be repoſed in the repreſentatives of a free people. The period for which the Preſident and Vice-Preſident of the United States were reſpectively choſen will expire with the third of March next. It becomes your duty therefore, in obedience to the Conſtitution of the General Government, the act of Congreſs, and that of the Legiſlature of this ſtate relative thereto, to appoint during the preſent meeting of the ſeſſion now about to be opened, the legal number of perſons duly qualified to elect to them ſucceſſors to theſe dignified ſtations. The ſelection lies excluſively with you, and in making it, that you will ſeek for characters of approved integrity, void of prejudice, firmly attached to the principles of our government, and the true intereſts of our common country, is not to be queſtioned.

On an examination of the laws above alluded to, it will be found that no proviſion has been made for the contingency of an Elector's abſence from the meeting enjoined. This is a defect, the propriety and manner of remedying which, I ſubmit to your diſcretion.

It is with pleaſure, gentlemen, I announce to you officially the ratification, by the competent number of ſtates, of the amendment propoſed during the laſt ſeſſion of Congreſs to the firſt ſection of the ſecond article of the Conſtitution of the United States, ſo modelling the mode of voting for Preſident and Vice Preſident as effectually to prevent a repetition of the unpleaſant ſcene exhibited at the laſt election of thoſe officers.

During the receſs certain concurrent reſolutions of the two houſes of the Legiſlature of the commonwealth of Maſſachuſetts, having for their object an alteration of the third clauſe of the ſecond ſection of the firſt article of the conſtitution of the United States, have been tranſmitted to me by the Executive of that ſtate. A propoſition from ſuch high authority merits the moſt reſpectful conſideration, and (ſhould the clauſe alluded to be found, on examination, incorrect in principle, or inconvenient in practice) will, I truſt, receive, gentlemen, your cordial ſupport, provided no inſurmountable barrier preſents itſelf. How far this is the caſe at preſent, and will ſo continue till the year 1808, you will be enabled to determine by examining this clauſe in connection with the fourth of the ninth ſection of the ſame article, and the fifth article. The reſolutions will be laid before you.

The miſſion of General Armſtrong to the Court of France has occaſioned a vacancy in our repreſentation in the Senate of the United States. Congreſs is now in ſeſſion, and as there is reaſon to believe that intereſting diſcuſſions will early take place in the national councils, I preſume, gentlemen, you will conſider the filling ſuch vacancy as meriting a place among the firſt objects of your attention.

A circumſtance much to be regretted has taken place ſince the laſt adjournment. Some convicts in the State-Priſon ſet fire to the building, and though the utmoſt exertions were employed to extinguiſh the flames, they were not ſucceſsful until one of its wings was nearly conſumed. On a conſultation of the inſpectors with the judges of the ſupreme court, and the mayor and recorder of the city of New-York, it was an unanimous opinion that the public intereſt demanded the immediate repair of the damage ſuſtained, and as there was no fund from which the ſums neceſſary to defray the expence could be drawn, it was recommended to the inſpectors to raiſe them on their individual credit. This they have done, and the building has been repaired in the moſt economical and effectual manner, and rendered much ſecurer againſt future ſimilar diſaſters than it was in its original ſtate. In addition to the repairs, they have found it neceſſary to erect at a ſmall expence an additional work-ſhop. The amount of diſburſements for theſe objects is fourteen thouſand four hundred forty two dollars fifty-one cents, for the reimburſement of which they now apply to the juſtice of the legiſlature. They further ſtate that the inſtitution is embarraſſed by debts contracted by their predeceſſors in office, amounting to 8600 dollars 30 cents. Of this ſum 4000 dollars has been paid from their private purſes, which they requeſt may be refunded to them, and proviſion made for the diſcharge of the balance. An inſtitution ſo honorable to the juſtice and humanity of the government, will, it is confidently hoped, continue to enjoy the patronage of the legiſlature.

A bill drawn at the inſtance of the inſpectors, propoſing additional penalties for the greater ſecurity of the Priſon, and of its internal government, will be preſented to the legiſlature. The infliction of capital puniſhment in certain caſes will be found among its proviſions. How far ſuch an alteration in the criminal code may be deemed a departure from the principles on which the inſtitution is founded, and how far it would be conſonant to juſtice and legal policy, will require, gentlemen, your ſerious and deliberate conſideration. If it be an element of the political theory on which our government is erected, that it is veſted with no rights but ſuch as are derived from the individuals compoſing the community, & if it be admitted that individuals have not the right to diſpoſe of their own lives, it may be reaſonably doubted whether the government can juſtify the infliction of capital puniſhment in any caſe not ſanctioned by the divine mandate. Its policy alſo may be doubted. The principal object of puniſhment is the prevention of crime. To him who is deprived of liberty for life, death can have but few terrors, and the efforts of deſpair are ſeldom enfeebled by the apprehenſion of conſequences. While on this ſubject, gentlemen, permit me to ſuggeſt to you the propriety of a reviſion of your ſyſtem of criminal juriſprudence. Certainly great improvements have been made in it: it is however ſtill far from being perfect, and is ſuſceptible of further amendment. It is of the eſſence of every good ſyſtem that there be a due apportionment of puniſhment to crime, eſtimating the latter by its degree of moral turpitude, and its conſequences to ſociety. Commencing with the lower order of felonies we ſhall find an unwarrantable difference in the degrees of puniſhment annexed to *grand* and *petit* larcenies, and yet a cent more or leſs conſtitutes the eſſential difference between theſe offences. This is not the only objection. The adminiſtration of juſtice being committed to more than thirty judicatories, offences of the ſame grade are puniſhed more or leſs ſeverely according to the different ideas of different magiſtrates, ariſing from the too great latitude of diſcretion veſted in the courts of juſtice. If the calendars of conviction and judgments are examined, the ſame offences, probably accompanied with the ſame circumſtances of atrocity, will be found puniſhed by confinement at hard labor in the State-Priſon for periods varying from one to ten years: They may vary from one to fourteen years. While ſo vaſt a diſproportion exiſts between the puniſhments annexed to theſe different ſpecies of larceny, where, in the degrees of criminality not a ſhade of difference is to be perceived, ſimple and compound larcenies are ſubjected to the ſame puniſhment, though the latter generally evinces greater depravity, and even produce greater injury to ſociety than the former. Thus no diſtinction is made between forcibly entering a dwelling and committing a larceny therein, where not done burglariouſly, and feloniouſly taking the property of another when expoſed in the highway.

Aſcending from the loweſt to one of the higheſt ſpecies of felony, a ſimilar defect preſents itſelf. In the crime of murder there are various degrees of turpitude, but no diſcrimination of puniſhment. A deliberate and premeditated killing, with expreſs malice, is certainly more criminal in the eye of religion and morality, than where the malice ariſes by legal implication alone. So murder committed in the perpetration, or attempt to perpetrate any of the higher offences, is certainly more criminal, than where it is the conſequence of an intended treſpaſs or a mere want of due caution. Theſe diſtinctions, I am perſuaded, accord with public ſentiment, as muſt be evident to all thoſe who have witneſſed the embarraſſment of jurors, when directed that the law impoſes upon them to find one guilty of murder whom they verily believe never intended to commit it. This is placing them in a delicate ſituation, and offering violence to tender conſciences.

The crimes of forgery and counterfeiting are alſo ſuſceptible of a claſſification of their various ſpecies. A detailed plan of ſuch an improvement would far exceed the proper limits of this addreſs. I ſhall therefore reſerve it for a future occaſion.

In the event of an interruption of the harmony which has ſubſiſted between the United States and the maritime powers of Europe, we cannot but look with anxiety towards the defenceleſs ſtate of our principal ſea-port.—To afford it compleat protection againſt an invading force, would require an expence beyond the ordinary reſources of the ſtate, and is an object emphatically appertaining to the general government. As far as it may be effected by militia arrangements it is certainly our duty to attempt it. I ſhall for this purpoſe in the courſe of the ſeſſion ſubmit to your conſideration a plan for organizing a brigade of artillerists and corps of engineers to be provided with a competent park of heavy field artillery, howitz mortars, and the neceſſary apparatus for the uſe of hot ſhot, which may afford protection againſt ſingle ſhips, and even ſmall ſquadrons.—An eſtimate of the expence will alſo be ſubmitted.

I cannot conclude, gentlemen, without calling your attention to a ſubject which my worthy and highly reſpected predeceſſor in office had much at heart, and frequently I believe preſented to your view, the encouragement of literature. In a government reſting on public opinion, and deriving its chief ſupport from the affections of a people, religion and morality cannot be too ſedulouſly inculcated. To them ſcience is an hand maid; ignorance the worſt of enemies.—literary information ſhould then be placed within the reach of every deſcription of citizens, and poverty ſhould not be permitted to obſtruct the path to the fane of knowledge. Common ſchools under the guidance of reſpectable teachers ſhould be eſtabliſhed in every village, and the indigent be educated at the public expence. The higher ſeminaries alſo ſhould receive every patronage and ſupport within the means of enlightened legiſlators. Learning would thus flouriſh, and vice be more effectually reſtrained than by volumes of penal ſtatutes.

With grateful acknowledgements to a benificent God for the large portion of national proſperity he continues to bleſs us with, permit me, gentlemen, to aſſure you of my ready co operation in every exertion you ſhall make to add to the maſs of general happineſs.

MOR'N LEWIS.

Albany, November 6th, 1804.

Alexander Sheldon, Eſq. was elected Speaker of the Aſſembly and Solomon Southwick, Eſq. was appointed clerk. The Sergeant at Arms, Door-Keeper, &c. of laſt ſeſſion were re-appointed.

WASHINGTON CITY.

WEDNESDAY November 14.

PRESIDENT'S MESSAGE.

The Preſident next adverts to the topics growing out of our late ſplendid acceſſion of territory.

"Soon after," ſays he, "the paſſage of the act of the laſt ſeſſion, authoriſing the eſtabliſhment of a diſtrict and port of entry on the waters of the Mobile, we learnt that its object was miſunderſtood on the part of Spain. Candid explanations were immediately given, and aſſurances, that, reſerving our claims in that quarter as a ſubject of diſcuſſion and arrangement with Spain, no act was meditated in the mean time inconſiſtent with the peace and friendſhip exiſting between the two nations; and that conformably to theſe intentions would be the execution of the law. That government had however thought proper to ſuſpend the ratification of the convention of 1802. But the explanations which would reach them ſoon after, and ſtill more the confirmation of them by the tenor of the inſtrument eſtabliſhing the port and diſtrict, may reaſonably be expected to replace them in the diſpoſitions and views of the whole ſubject which originally dictated the convention.

"I have the ſatisfaction to inform you that the objections which had been urged by that government againſt the validity of our title to the country of Louiſiana have been withdrawn; its exact limits however remaining ſtill to be ſettled between us. And to this is to be added that having prepared and delivered the ſtock created in execution of the convention of Paris of April 30th, 1803, in conſideration of the ceſſion of that country, we have received from the government of France an acknowledgement in due form of the fulfilment of that ſtipulation."

By the information communicated in the laſt paragraph quoted, a death blow is given to all thoſe menacing alarms which have been rung through the union by the opponents of the adminiſtration. At the time congreſs were called upon to carry the Louiſiana treaty into operation, they told us on the floor of congreſs, and the declaration was reverberated from every corner of America, that the title the treaty gave was unſound, that Spain would not acknowledge, and that France herſelf would decline enforcing it. It was in vain, that the advocates of the meaſure affirmed that France poſſeſſed the right to Louiſiana previous to her ceding it to us, and that her conduct in forming the treaty had been frank and honorable. It was replied that the American government was the dupe of her perfidy, and that the United States would not be ſuffered to take poſſeſſion of the country. Irreconcileable diſputes, it was contended, would ariſe, which would iſſue in war; whereby, after having been fleeced out of fifteen millions of dollars for a piece of parchment, we ſhould be compelled at laſt to fight for the territory. Theſe awful viſions are now diſpelled. France has with good faith complied with her engagements, and Spain has acknowledged the validity of the ceſſion.

Such is the auſpicious reſult of this intereſting tranſaction. The confidence of the American government in France and Spain has not been miſplaced. Events have proved its wiſdom.

This reſult, properly improved, will ſhed no mean light upon the probable iſſue of the negociations at preſent depending with Spain, as explained in the previous paragraph of the Meſſage.

The enemies of the adminiſtration again menace us with the horrors of war. Indeed ſuch has been the lowering horizon painted by their fears, that the ti-