much heavier burthen on our agricultural interest, than would be imposed under the present state of that article.

Disapproving of slavery, as we do, we lament that one of our sister states has repealed their law, prohibiting the importation of slaves; yet we flatter ourselves in the contemplation, that the time is not far distant when Congress will have a constitutional right to put a stop to that inhuman traffic. And no serious evil, we presume, can accrue to us, by the increase of representation, from the importation of slaves in the short period of four years.

Convinced of the importance of having a secure place, for the confinement of convicts to labour, we shall use our utmost endeavors to progress therein, as fast as the nature of the undertaking will admit, without laying too great a burthen at once upon our constituents.

The unfinished business, of the last session, and such other matters as may now come before us, will be punctually attended to; not doubting of your Excellency's cheerful cooperation with us, in promoting justice and the general welfare.

THE
GOVERNOR OF VIRGINIA'S letter, addressed to both Houses of the General Assembly, at their December Session, 1804.

Richmond, December 3, 1804.

SIR,

I have the honor to lay before the general assembly, copies of such papers as have been presented to the executive, and appear to be of sufficient importance to merit legislative attention; and also a statement of such proceedings of the executive, as ought to be more immediately submitted to the consideration of the legislature. For an examination of their proceedings in general, the assembly is respectfully referred to the journals of the council and the letter book of the governor, which shall be laid before them whenever called for.

The paper No. 1, is the public notice required by law of the result of the election of electors, for choosing a President and Vice President of the United States.

No. 2, contains the resignations of Wilson C. Nicholas and A. B. Venable, as Senators of the United States—the vacancies thereby produced, have been filled according to law, by a temporary appointment of William B. Giles and Andrew Moore.

No. 3, contains a letter from colonel Monroe, which though written in November 1803, was not received till late in April.—In it will be found a meritorious tender of services, in a business of importance to the commonwealth, and some valuable political and philanthropic suggestions.

No. 4, is a notification of the secretary of state, of the adoption of an amendment to the constitution of the United States, respecting the manner of voting for President and Vice-President.

No 5, a letter from the governor of Massachusetts, with certain resolutions of the legislature of that state, proposing an amendment of the constitution of the United States.

No. 6, contains a resolution of the general assembly of Kentucky, proposing a co-operation on the part of Virginia with that state, Pennsylvania and the state of Ohio, in opening the rapids of the river Ohio.

No. 7, is a letter from three of the commissioners who were appointed to wait on the legislature of the state of Tennessee, respecting the navigation of the North fork of Holston and Holston river, and recommending the appropriation of two hundred and fifty dollars on the part of this commonwealth, for the removal of certain obstructions to the navigation of those rivers, and enclosing an act of the assembly of Tennessee, on that subject and to the same purpose.

No. 8, a report of the commissioners appointed to ascertain the most proper course for a road from the upper navigation of James river, to the upper navigation of Kanawha river.

No. 9, an extract of a letter from the superintendant of the manufactory of arms, which by the particular advice of the council, is submitted to the consideration of the legislature, as it shews in a strong point of view, some of the disadvantages resulting from certain defects in our present system of finance, and which have for several years produced a periodical embarrassment in the operations of government. A report from this ingenious and meritorious officer, on the subject of the various objects of his attention has been delayed on account of his long and extreme ill state of health.

No. 10, contains two representations from the Hay market district court, respecting certain buildings, repairs, &c. necessary for the accommodation of the court and clerk, and safe keeping of prisoners.

No. 11, is a letter from the captain of the public guard, with an extract from the journals of the council of state, which are submitted to the consideration of the assembly, and are intended to shew that the executive are of opinion, that the additional services required of that faithful and active officer, deserve a further compensation, which the council do not think themselves authorised to advance, they desiring to avoid as much as possible, the exercise of executive discretion, and an application of the contingent fund, to any purposes for which legislative provision may be made without a delay, which might be injurious to the credit of the state, or the interest of the person concerned.

The executive, properly impressed with a sense of the danger to which the interest of individuals, as well as the credit of the United States, was exposed by the frequent circulation of counterfeited bank notes, and apprehensive of the consequences which might result from an extensive and successful combination of such persons, as they were informed were engaged in that nefarious business, tho't it indispensably necessary to make use of the means which the integrity of Mr. S. Brooks, an engraver, furnished of detecting forgeries of Thomas Logwood, their powerful and active leader, and of bringing him to trial and conviction. The hazardous and meritorious services of Mr. Brooks, in the opinion of the council, called for a compensation, which justice and sound policy required should be afforded by government without delay. And as all that had been done by Mr. Brooks might have been of no effect, unless the truth of his information had been so completely confirmed, as it was by the propriety and rapidity with which lieut. Underwood of the guards, performed the part which he patriotically undertook in this interesting business, by procuring a search warrant from a magistrate, in the county of Buckingham, where Logwood resided, founded on the affidavit of Mr. Brooks, and executing it in Logwood's house, after a journey on horseback of 112 miles in 12 hours, by which means according to Brooks's directions, he found and brought to the executive above fourteen thousand dollars in counterfeited notes of the banks of the United States, several eagles of the United States, and double guineas of France, with the various apparatus made use of in making the paper, striking the bank notes, and in coining the said pieces of gold coin, the executive rewarded the lieutenant and his two assistants, as will appear from the advice of the council in No. 12.

But as Logwood's trial was in the federal court for a violation of an important law of the general government, it was thought proper by the council that the United States should be charged with all the expenses incurred in the apprehension, prosecution and imprisonment of him; I have therefore expressed the wish of the council to the President of the United States, that such charges may be allowed, and have received his answer, "That the Secretary of the Treasury within whose department it is, had considered those claims of reimbursement from the treasury of the United States, and had allowed the account for a guard, and that for the transportation of forging materials would be allowed if they were necessary for conviction; but that the 3 large items in favor of Underwood, the Allens and Brooks, being gratuities for certain meritorious conduct, are not within the competence of the Executive of the United States to allow: that claims of this character must be made to Congress." The council therefore advised that I should request our Senators to have our claim brought forward in Congress, and to support their wish, with which advice I have complied and transmitted the proper vouchers to those gentlemen.

The act providing seals for the district courts has at length been executed—Some of the seals are delivered, and the others are ready to be deposited with the clerks of their respective courts.—A considerable delay in this business was occasioned by the use the executive were induced to make of Mr. Brooks their engraver, in the detection of Thomas Logwood.

The distribution of arms has progressed as well as the nature of that business would permit. No. 13 will shew how far it has proceeded.

The executive in compliance with the 5th section of the act, entitled "An act to amend the act entituled an act to amend the penal laws of this commonwealth, and for other purposes," with the inspectors of the penitentiary and attorney general, formed a board, by which the regulations for the internal government of the penitentiary, No. 14, were adopted.

As directed by a resolution of the general assembly, passed the 2d February, 1804, I lay before both houses of the legislature a statement of the expenses in carrying on the several branches of manufacture in the penitentiary;—the amount of articles manufactured: the amount sold; and the articles and value of them remaining on hand, No. 15.

No. 13 contains the official statements of the revenue for the year 1803, together with an account of expenditures from 1st October, 1803, to the 1st October, 1804, and a list of balances due from sheriffs and collectors to the last mentioned period.

The report of the superintendant of the manufactory of arms shall be laid before the assembly as soon as it can be prepared for their examination.

No. 17 is a letter from the President, and a report of the President and Directors of the Dismal Swamp Canal, stating the progress that has been made in the works under their direction, the difficulties they encounter for want of more ample funds; the produce of the mills and tolls of the Canal from August 2d, 1802, to the 5th May, 1804, exclusive of the tolls at the south end, which were not yet ascertained by the Directors, as their collector had not made his report; and expressing their hope that the General Assembly will grant their aid towards finishing a work of such importance to the commonwealth.

The confirmation by the Court of Appeals of the decree of the Chancellor in a suit of Duncan Rose, executor of Duncan Rose, against the Commonwealth, of which I have received notice by the executor's attorney, requires an appropriation to satisfy the said decree.

A letter from our Senators in Congress shews that doubts have arisen, whether Senators appointed by the Executive to act as such until the next meeting of the Legislature, should not vacate their seats on the day appointed for that meeting, or at least on the day on which an actual meeting of both houses may happen; or, whether, as either of these constructions of the law might be, attended with great inconvenience to the Senators, and to the public, the words "until the next meeting of the Legislature," ought not to be understood to mean, until the next meeting of the Legislature should afford the means of a legislative appointment of Senators; and therefore, that the temporary Senators should hold their offices until superceded by the next legislature. These doubts are submitted to the consideration of the General Assembly, and seem to require their immediate decision on the present situation of the Senators, whose construction of the law is agreeable to that last stated.

The office of public printer having been vacated by the resignation of Meriwether Jones, it was filled by an executive appointment of Samuel Pleasants, according to the 4th section of the act directing the mode of appointing the public printer.

I am happy to have it in my power to repeat my congratulations to the present assembly which I presented to the last on the prosperous situation of the United States. And with sincerity I repeat my assurances of high respect for yourself and the other members of your house, and my wishes for your and their happiness, and the lasting prosperity of our country.

JOHN PAGE.

The Honorable the Speaker of the House of Delegates.

HOUSE OF REPRESENTATIVES OF KENTUCKY.

Monday, November 19.

Mr. F. Grundy, from the committee to whom was referred the message of the governor, respecting the resolutions of the state of Massachusetts, made the following report, viz.

The committee to whom was referred the resolutions of Massachusetts, have taken the same under consideration, and have come to the following resolution thereupon, to wit:

Resolved, That it is with regret and uneasiness that the state of Kentucky discovers a wish on the part of the state of Massachusetts, to depart from those principles, on which the people of the United States became one people. We cannot discover that the present mode of representation, is either unjust, or injurious in its operation; and we cherish a hope, that that spirit of conciliation which actuated the framers of the federal constitution, and the several states in the adoption thereof, still pervades the union. And although at first view it might appear that the Eastern states, owing to our present political regulations, bear a greater portion of our public burthens than other states of the union; yet, when we reflect that the consumer of all imported articles, is charged by the seller with all taxes which may have been imposed by government—we shall discover that those states where slavery is tolerated, bears at least an equal share of all taxes, arising from imposts: and if this were not the case, we with joy look forward to a period, not far distant, when the western merchant, actuated by a dignified spirit of enterprize, shall vie with the eastern merchant, and commerce shall extend her sails over our western waters. This event, on which we calculate with certainty (in consequence of the late acquisition of Louisiana, and the free navigation of the river Mississippi) would equalise taxation, were it now unequal.

We consider an harmonious union of the states, as a subject of the first importance; and are of opinion, that this object is better secured under the present mode of representation, than the one contemplated by the state of Massachusetts. We have seen, we now feel the beneficial effects arising from the present constitutional mode, and are therefore unwilling to exchange it for that which may have been dictated by disappointments.

Resolved also, That the Senators in Congress from this state be, and they are hereby instructed, and the representatives of this state in Congress, are also requested to oppose the alteration in the federal constitution proposed by the state of Massachusetts; and the governor of this state is hereby requested to transmit to each Senator and Representative in Congress from this state, and also to the Chief Magistrates of the different states, this expression of our opinion on the subject, and request their concurrence in opposing the contemplated measure.

Which being read, was ordered to lie on the table.

Legislature of Maryland.

Thursday, Dec. 6.

According to order the House took into consideration, the bill to incorporate the stockholders, of the Union Bank of Maryland, and, on the second reading thereof, the question was put that the capital stock of said bank consist of three millions of dollars? Resolved in the affirmative.

Friday the 7th, the House resumed the consideration of the bill, and the question was put that the third and fourth sections thereof be struck out—which carried. The question was then put that an amendment offered to said bill be received? Resolved also in the affirmative.

Saturday the 8th, the House again took up the consideration of the bill, when the question was put, that the words "and no director having served for three years, shall be eligible for the two succeeding years thereafter" be struck out? Which was negatived by a majority of fifteen.

Monday the 10th, the House proceeded to the reconsideration of the incorporation bill, and the question was submitted, that the words, "The whole number of shares reserved, be struck out of the 16th article? Carried in the affirmative—The question was again put, that the words "when entitled to four directors, two directors shall be chosen by the Senate, and two by the House of delegates," in the same article, be struck out? Resolved in the affirmative.

Tuesday the 11th, the final consideration of this bill took place, and after making several amendments, the question was put, that the said bill do pass? which was carried in the affirmative, yeas 50—Nays 10.

THE STATE OF SOUTH CAROLINA.

At a court of general sessions of the Peace, oyer and terminer, assize and general goal delivery, begun and holden at Columbia, for the district of Richland, on the third Monday after the fourth Monday in October, being the twelfth day of November, in the year of our Lord one thousand eight hundred and four, and in the twenty-ninth year of the independence of the United States of America; before the honorable Elihu Hall Bay, one of the associate judges of the said state, the grand jury made the following presentments, viz.

State of South Carolina, Richland district. } *November term,* 1804.

We the undersigned grand jurors of the said district, offer our sentiments, in common with our fellow-citizens, against the unlawful, the odious, the depopulating and distressing practice of duelling; and present it as a grief to all civilized countries, and more especially to ours, where each individual can so easily seek redress in the courts of justice. And we must express an additional grief and concern, that an investigation into the laws and jurisprudence of the country, upon this subject, had not taken place long before the overture which is reputed to have given rise to it at this time, as instances equally lamentable, had often called for the intervention of legislative authority; for unless the privilege of free elections shall be secured, which is the bulwark of American liberty, perhaps no law will be found sufficiently efficient to govern the passions of candidates, whose characters are made a target for every electioneering man to shoot at; and although we do not know, nor perhaps would be able to offer a remedy that would avert these evils from the commonwealth, yet, conscious of the superior skill of those patriots who have long made government their study and care, we earnestly recommend to them, in our legislative councils, to take these subjects into consideration, and remedy (if possible) these evils, which certainly remain to mankind from *Heathenish Barbarism.*

We further present as a grief and burthen to the citizens of our country, the law which compels them to serve as jurors without a *quid pro quo*, or, at least a reasonable indemnification. We own, and are willing to own, that the public has a right to the services and property of the individuals of the community;—yet we are of opinion that when such services are rendered, or property converted, there remains to each individual an equal right to demand and receive for such services and property an equivalent. We do conceive that it is neither reasonable nor political to deny a reasonable pay to the jurors of the country. First, because the duties to be performed are of the greatest magnitude. Secondly, because their minds, to be thus importantly engaged, ought to be free and easy, which cannot be the case when obliged to distress or disorganise their domestic arrangements, or be exposed to hunger and the inclemency of the weather. And thirdly, because the human mind, impressed with imperious and arbitrary law, cannot be in a proper attitude to take into consideration, and to judge of the lives, liberties and properties of men.

We further present as a grievance, the present law with respect to parol duty, the uncertainty of which has caused a great diversity of opinions respecting its meaning and extent. These difficulties would be greatly relieved by a more general diffusion of the acts of the general assembly amongst the officers, military as well as civil.

And we further present as a grievance, that the office of justice of the peace is too often filled by improper characters.

CLAIBORNE CLIFTON, *Foreman.*

The following is a copy of the counter memorial of the inhabitants of New-Orleans.

To the Senate and House of Representatives of the United States.

WE, the undersigned citizens of the United States and inhabitants of New-Orleans, beg leave to approach with respect your honorable body, and to express our confidence in your wisdom and virtue, in relation to the government prescribed for this territory. We wish only to state, that it has excited no discontent among the undersigned, and we shall remain as heretofore, devoted to the interest of the American union, and determined to support the laws of our country. When it shall be consistent with the general good, to give to the territory of Orleans a government founded in the representative system, we are persuaded a provision to that effect will promptly be made by Congress; but whenever Louisiana, or this part thereof, shall, (consistent with the constitution of the United States) be admitted as a state, we humbly pray, that such conditions may be annexed to the admission as will secure to the undersigned, (whose native language is English) the use of their mother tongue in the legislative and judicial authorities. And we also pray such further conditions may be annexed, as will secure to all the citizens of the U. States, who shall become inhabitants of such new state, the same privileges and benefits as other citizens of said state shall possess.

[Signed by about two hundred and forty citizens in four days, representing at least one half of the commercial interest of the place.]

WASHINGTON CITY.

WEDNESDAY, DECEMBER 19.

In our last paper we stated the arrival of Mr. MERRY in this city. This was an error which arose from the following circumstance. On Saturday a servant delivered an anonymous note, stating that Mr. Merry had returned to the city, and requesting that his paper might, instead of being forwarded to Philadelphia, be left at his house in Washington.

The friends of a wide diffusion of knowledge, through proper seminaries, and of a vigorous system of internal improvements, have not been disappointed in their expectations that these great objects would be promoted, under republican auspices, with augmented zeal. The spirit, which has long reposed in the breasts of a small number of citizens, is rapidly passing from one part of the country to another, and exciting an honorable rivalry between the different members of the union. Among the instances that attest the expanding views of our countrymen, we notice with pleasure the introduction into the legislature of North Carolina of a bill to empower commissioners to contract for the opening and establishing a turnpike road, to pass through part of the territory belonging to the Cherokee Indians, and of another bill to incorporate two companies for the purpose of cutting a navigable canal from the Roanoke to the Mecherin river, and from Bennet's Creek in North Carolina to Nansemond river in Virginia.

While we gratify an honest pride in attesting the liberal policy that is about to give birth to these important improvements, we cannot refrain from expressing the humiliation we feel, at the treatment which the University of North Carolina has received from those who should consider themselves its best friends and guardians. With the examples of the munificent support of education set by the neighboring states of South Carolina and Georgia, it was hoped that the councils of North Carolina would, by a regular patronage, however limited, have fostered the only great seminary within her limits. Her University was founded many years since. The existing resources of the state not being extensive the endowment was small. In order to