

Our Cotton Market.

The continued unfavorable news from Europe has had the effect of depressing our Cotton market, and a decline in prices has taken place.

Later from Europe.

The steamer Hermann arrived at New-York on Wednesday last, bringing four days later news from Europe. The lower qualities of Cotton had declined in Liverpool 1/4 to 1/2.

The Message.

By the exclusion of everything else, we are enabled to lay this document before our readers. We have no time or room for comment, but bespeak for it an attentive perusal.

The Legislature.

The proceedings of the two first days of the session have been received, but possess very little of interest. We shall keep our readers advised of the proceedings, during the remainder of the session.

GOVERNOR'S MESSAGE.

COLUMBIA, Nov. 23, 1852.

Gentlemen of the Senate and House of Representatives:

Another year has rolled round, and brought the day when, as Representatives of the people, you have assembled together to deliberate upon the affairs of the Commonwealth.

Terrible has been the blow to the prosperity of our State by the destruction of crops and bridges on our water-courses, and as deeply as we sympathize with those of our fellow-citizens who have suffered, yet we are bound to bow submissively to the afflicting rod of our Heavenly Father.

It gives me pleasure to inform you that the same flourishing condition of our different institutions of learning, noticed in my last Annual Message, still continues. The South Carolina College, under the judicious and energetic management of its able President, is still progressing in its onward course of usefulness.

The Military Academies still give evidence of increasing usefulness, and bid fair to stand as enduring monuments of the wisdom and munificence of the State; in establishing so enlightened a plan of eleemosynary education.

The last Legislature authorized the Trustees of the South Carolina College to build a Chapel provided they did not call upon it for more than \$10,000. This building, so much needed, has been contracted for by the Trustees at \$22,000, and will be of sufficient size to accommodate 1600 persons.

Without making a positive recommendation on this subject, I suggest to you the propriety of considering at this time whether it would not be wise, under existing circumstances, to increase the capital of the Bank of the State.

I have endeavored, during the past summer, to inform myself thoroughly upon the subject of our Free School System, but from the want of interest generally manifested, I have been able to collect but little information.

seen from it. I am sure the system could be so altered and improved as to work well with us. But to do this, it would require a thorough knowledge of the subject; and it appears to me that the only way in which you could obtain that knowledge, would be to authorize the Governor to appoint a suitable and competent person to travel over the State for a year, and notice the manner of its operations, point out its defects, and suggest improvements.

The Bank of the State, according to a Report made to me by its President, is in a highly prosperous condition. The capital is \$100,000 more than last year.

Table with financial data: The capital in use may be set down at \$3,450,000; Deduct Fire Loan Bonds 208,500; The profits are 3,152,500; Deduct Interest on Fire Loan Bonds 29,680; Leaves 2,70,725.

The Charter of this Bank expires in 1856. The short time it has to run renders it proper that you should consider the question of its recharter at this Session. I think there are many reasons why it should be re-chartered. This Institution has proved itself to be highly useful, and safe as a fiscal agent of the State, and has aided materially in sustaining our people during the severe monetary crisis through which we have passed.

It is much more creditable to the management of this Institution that it should have erred in this particular than that it should have proved a relentless creditor, by forcing sales of property at a ruinous sacrifice. If any real abuses do exist, they ought most certainly to be reformed.

The Charters of many of the private Banks are about to expire; and in all probability application will be made to you for a renewal of them. However they may be thought of, the policy of the Banking system, were the question of its introduction amongst us for the first time made, one thing is certain, it has so completely interwoven itself into all our habits of business, that to abandon it now would greatly embarrass the commercial interest, and probably bring ruin on the country.

Another argument in favor of its recharter, is the amount of taxes it saves to our citizens. During the past year, as I have already stated, its profits have amounted to \$279,725, which, of course, has relieved our people of that amount of taxation. But above all other reasons why you should renew its Charter, the fact that the honor of the State is pledged to it should have greater influence with you than anything else.

Without making a positive recommendation on this subject, I suggest to you the propriety of considering at this time whether it would not be wise, under existing circumstances, to increase the capital of the Bank of the State. The great increase of all kinds of business, caused by our Railroads, calls for additional Banking Capital. Some of the large manufacturing establishments which have recently sprung up amongst us, have been greatly embarrassed during the past summer for the want of Bank accommodation.

But a still stronger reason for an increase, is to give it the power of acting as a check upon the private Banks. They are certainly much to be dreaded, if left entirely uncontrolled. When the condition of the country is prosperous, the temptation to expand their currency, and thus increase their profits is almost irresistible.

There should be some check upon this immense, this fearful power.

See Mr. McDuffie's letter to Col. Elmore, Bank Comptroller, p. 661.

I know that great fears are entertained as to the political power which a strong Bank of the State would wield—but these are rather imaginary than real, if you will reflect that it will be entirely under the control of the Legislature. Its officers are elected annually, and of course could be removed if found exerting any influence at variance with the true interests of the people.

If you, in your wisdom, should deem it inexpedient to increase the capital of the Bank of the State, so as to give it the controlling influence, prudence requires that you should grant no charter to any private Bank with a capital of sufficient size to give such influence to it.

The Lumatic Asylum, that charitable Institution so creditable to the humanity of the State, demands your special care and attention. Justice requires that I should again report to you not only the admirable order of its arrangement but the devoted attention of its officers to the delicate and laborious duties they are called upon to perform.

During the past year forty-four (44) new patients have been received, thirty of whom are pay patients, and twenty-eight of those heretofore under treatment have been dismissed, either entirely cured or greatly benefited. The buildings are now not only full but crowded.

If the Legislature will grant a further appropriation, it is proposed to enclose with a wall four acres of the lands belonging to the Asylum on the east side of it, and erect suitable buildings to accommodate the female patients.

A memorial from the Directors of the South Carolina Institute is herewith transmitted, to which I invite your attention. This Institute, established for the encouragement of all the industrial pursuits of the country, was incorporated by an act of the Legislature in 1850. One fair was held previous to its incorporation, and two since that time, which have given a most gratifying evidence of its success in promoting the great object for which it was established.

When we reflect how far behind our State has been in the great race of the improvement of the mechanic arts, this exhibition of mechanical skill and ingenuity which the fairs of this Institute have developed, must be a source of pride and satisfaction to every one who has the real interests of his country at heart. They have clearly shown that there was no want of talent or energy on the part of our mechanics, but that it only required some stimulant of this kind to spring it into life.

This Institution has been established by the private enterprise of its founders, to effect a great public good; and while it reflects credit upon their public spirit, deserves your patronage. Since it was founded, the articles offered for exhibition have been so numerous that no hall can be found of sufficient capacity to contain them. The necessity of building another has induced them to call upon you for aid to construct it.

The Attorney General, at my request, has drawn up a report on the subject of Prisons and Prison Discipline, to which he has added a report on the Criminal law. As it contains much valuable information, and many important suggestions, I herewith transmit, and invite your attention to it.

Without pretending to enter fully upon the subject, I will state a few reasons to show there ought to be a change in the management of prisons, and also in the manner of executions.

There is no preparation made for the separation of the different classes of prisoners. The youth who for the first time has been convicted of some small offence, and upon whom the punishment of imprisonment might have so salutary

an effect as to bring about his reformation, if left alone to the workings of his own conscience, is confined with the hardened felon, and, of course, subjected to his pernicious influence.

A change ought to be made in the manner of Executions. All public executions are demoralizing to the community, and fail to produce the effect upon it they were intended to produce. A morbid curiosity collects thousands together to witness them, and when the criminal is brought forth for execution, the natural sympathies of the crowd convert him into a hero or martyr.

If the punishment of whipping is to be continued, that, too, were better done in private. I doubt exceedingly, however, the propriety of this mode of punishment under any circumstances. Reformation of the culprit (one of the important ends of punishment) is seldom or ever effected by it.

But I will not trespass on your time by pursuing the subject further. I merely wish to draw your attention to it. This subject, together with the revival of our whole Criminal Code, requires a more careful examination than you would probably be able to give it during a short session of the Legislature.

By a joint resolution of the last General Assembly, I was requested to communicate with the Governor of Georgia on the subject of the "obstructions to commerce and intercourse between the two States, and to take such other steps as would lead to a full exposition and understanding of the rights of all parties concerned and to a frank and friendly settlement of the whole matter."

I think it however, proper to state, that the question of the boundaries between the two States has lost much of its interest at present, since an arrangement has been made by the President of the South Carolina Railroad Company with the city authorities of Augusta, by which a free passage across the Savannah River is secured to the Company.

I feel it my duty to call your attention to certain proceedings which have grown out of the enforcement of that law of our State, which requires the Sheriff of Charleston to seize and imprison colored Seamen who are brought to that port. You will remember that the British Consul addressed a communication to the Legislature in December 1850 on the subject of a modification of this law.

The vessel in which he sailed was driven into the port of Charleston in distress. This was looked upon as a favorable case upon which to make an issue, as so strong an element of sympathy was connected with it. Accordingly, a motion was made before Judge Withers for a Writ of "Habeas Corpus," which was refused by him.

While these proceedings were pending the Sheriff of Charleston had my instructions not to give up the prisoner, even if a writ of Habeas Corpus had been granted. I considered that the "Act of 1847" entitled "An Act more effectually to prevent negroes and other persons of color from entering into the State, and for other purposes," made it my duty to do so.

On the 19th of May, Reuben Roberts, a colored seaman, a native of Nassau, arrived in the steamer Clyde, from Baracoa. The Sheriff of Charleston, in conformity with the laws of the State, which has been in force since 1823; arrested and lodged him in the district jail, where he was detained until the 26th of May, when the Clyde being ready to sail Roberts was put on board, and sailed the same day.

On the 9th of June a Writ of Trespass, for Assault and False Imprisonment, from the Federal Court, was served upon Sheriff Yates, laying the damage at \$4000.

The Act of 1844, I take it, was intended to prevent all interference on the part of any power on the face of the earth with the execution of this police regulation, which is so essential to the peace and safety of our community. Had the Legislature which passed it ever dreamed that the Sheriff was to be subjected to the annoyance of being dragged before the Federal Court for doing his duty under a law of the State I am sure it would have provided for his protection.

It is certainly wrong to tolerate this interference with the laws enacted for the protection of our institution. In the general distribution of power between the Federal and State Governments, the right to make their own police regulations was clearly reserved to the States. In fact, it is nothing more nor less than the right of self-preservation—a right which is above all Constitutions, and above all laws, and one which never was, nor never will be, abandoned by a people who are worthy to be free.

The complaint against this law is very strange, and the attempt to bring us in conflict with the General Government on account of it is still more remarkable, when, so far from its being at variance with laws of the U. S. it is only requiring the State authorities to enforce an act of Congress approved February 23rd, 1803, certain persons into certain States, where by the laws thereof their importation is prohibited.—(See 2d Story's Laws U. S., page 886.)

On the subject of the modification of this law, I am free to say, that when Her Majesty's Government, through its Consul, made a respectful request to our Legislature to that effect, I was anxious that it should be made. It was with pleasure that I transmitted its first communication to the last Legislature. I would have made a recommendation of its modification a special point in my first Message, but that I thought it delicate to do so, as the matter was already before the legislature, and committees had been appointed to report upon it.

But since an attempt has been made to defy our laws, and bring us in conflict with the Federal Government, on a subject upon which we are so justly sensitive, our own self-respect demands that we should not abate one jot or tittle of that law, which was enacted to protect us from the influence of ignorant incendiaries.

It gives me pleasure to inform you that the Railroads of our State are rapidly progressing. The Columbia and Charlotte Railroad, and the King's Mountain Road, are completed. Although heavy damages were sustained by the Greenville Railroad from the late freshet, they will soon be repaired, and under the energetic management of its President and Directors, will ere long be completed. The Manchester Road is also progressing rapidly. Already do we see the potent effects of these Roads in developing the resources of the State, and springing into life the energies of the people.