## GOVERNOR'S MESSAGE.

To the Honorable the Speaker and

Members of the House of Representatives: GENTLEMEN: You are assembled under circumstances, in many respects, peculiarly lavorable to considerate and sound legislation. The year which is closing has been distinguished in a very remarkable degree for the general health of our citizens. From the pestilence which has consigned to the tomb so many thousands of the people of other parts of our common country, S. Carolina has been entirely exempt. Even to those sections of the State in which malarial diseases in summer not unfrequently occur, Providence has extended the arm of mercy. For this signal blessing, so widely diffused, may we hope that a deep and abiding impression of gratitude to the Giver of all Good has already been made on the public mind.

While the earth has yielded an abundant increase, our mechanic arts have been multiplied and extended; the boundary of science and learning has been enlarged; the credit of the State is unshaken, and the spirit of the people, long depressed from various causes, is again buoyant, and would quickly be excited to its utmost energy, if every cause of discontent from external sources were permanently removed.

FEDERAL RELATIONS. I herewith transmit certain resolutions of the

States of Virginia, North Carolina, Florida, and Missouri, on the restriction of slavery in the territories of the United States.

The opinion of South Carolina on the grave matter at issue has been so repeatedly expressed, that, at its last session, the Legislature unanimously declared that the time for discussion by the slaveholding States had passed, and that the General Assembly, representing the feelings of the State, was prepared to co-operate with her sister States in resisting the application of the principles of the Wilmot Proviso to the territory acquired from Mexico, at any and every hazard. At a convention also of delegates of the committees of safety, held at this place in May, it was among other things resolved that, in the event of the passage of the Wilmot Proviso, or any equivalent measure, the Governor be requested to convene the Legislature, if not in session, "to consider the mode and measure of redress."

Concurring in the belief of the utter futility of further argument, I shall not attempt to demonstrate the false position occupied by our antagonists, and the danger to the Union and themselves, by their ingloriously persisting in maintaining it. The enactment of any one of the contemplated measures of hostility would probably, if not certainly, result in severing the political ties that now unite us, but which, in such an event, would no longer serve the elevated purposes for which they were designed.

Already it is known that the Legislatures of

Virginia, Mississippi and South Carolina, the former by authority of law, and the latter in obedience to the wish of their constituents, will convene as soon as it shall be officially announced that sinister counsels have prevailed in the legislation of Congress. I'o what specific mode of action the agricultural States will resort, to arrest the career of Federal misrule, time alone will develope. To provide that it shall be such as the outraged rights of freemen communities demand, the honor of those commonwealths is irrevocably pledged. Nor may conjecture be indulged concerning the course of coterminous States, having with them a community of interest, of affection, and of fears. The same feeling, only to a greater extent, that would arouse the slumbering energies of the whole Union to crush foreign intermeddling with the internal regulations of the nation, would call forth unanimity in the South, to repel a wanton attack on their domestic peace and security. Our associates need not be reminded then that the success of an attempt, from whatever quarter, to disfranchise any portion of the citizens of this great partnership of coequal sovereignties, and arbitrarily to control the authorities created by them, may properly be classed among the political impossibilities of the

If the States were, in all respects, independent powers, the aggressions of the North, continued and multiplied in despite of fraternal appeals to their justice, magnanimity, and enlightened patriotism, would long since have made them practically acquainted with war and its attendant horrors. Why is it, that the strongest legal safeguards against encroachments on the rights of foreign nations, have been so carefully provided by the Federal Government, with the assent of every party in power-whilst to overthrow the constitutional barriers, erected by a common ancestry, "to establish justice, insure domestic tranquillity, and secure the blessings of liberty to ourselves and our posterity," the moral influence of that very government, under the stress of sectional and geographical combinations, is unceasingly and insultingly exerted? The true answer exhibits a melancholy view of human nature, and enforces the necessity for providing other restraints than those of parchment bonds to confine the central power and its lawless abettors within their prescribed limits.

In this harrassing controversy, reliance on the judgment and patriotism of the reflecting porjion of our Northern brethren, it is unnecessary to disguise, is rapidly disappearing. The question a long mooted is of fearful import to both sections. Consolidation is more to be dreaded than sepa, ation. Many of the acts of the State assemblies, and the attempted and contemplated legislation of Congress against the slaveholding community, are destined, if successful, to engraft a principle o pon our political institutions, fraught with immine. It danger to every member of the Republic-to th. North more than to the punishable with severe and definite penalties, South; to both, however, in prostrating the safeguards of all rights, per sonal, social and political; but to the former especially, in arraying labor against capital.

If masters, in violation of the Federal Constitution and laws, may be prevented from recovering their fugitive or stolen slaves, if the transfer of persons and property, except under degrading restrictions, be denied them, what protection for their rights will remain, when the Northern States, by territorial aggrandizement, unwarrantably acquired, shall have secured an undisputed ascendancy in the councils of the nation. To force on such a result is now obviously the aim of the enemy, and the nonextension of slavery furnishes a plausible plea to cover their real design. If the plantation ed in the councilsof the nation and state, constinink substantially and regulate Southern property; ence, ought not however, so entirely to absorb is indulged, that this reflection on this humani. been influenced solely by a high sense of offito exact arbitrarily the proceeds of the labor of attention as to control the duty you owe to the ty will shortly be removed.

the richer, to be expended for the benefit of the naturally poorer division of the Union. In the consummation of so alarming a purpose, even Southern politicians are unwittingly or designedly lending their aid. Party predilections are, in too many instances, stronger than principles; the higher offices in the gift of a commonwealth are sought with less ardor than humble stations at the disposal of federal functionaries; the acts of the States, in which the real interests of the people are involved, are viewed as of subordinate importance, and the guarantees and compromises of the Constitution are looked upon as unadapted to the moral condition and political advancement of the age. There is but one remedy for the disease that portends desolation and ruin to our country-the maintenance in their original purity of the federative principles of the government, each State and every department of the federal authorities respectively confining themselves within their constitutional orbits, and between the States the extinguishment of adverse feelings, the offspring of imaginary adverse interests. If these indispensable conditions of our confederacy cannot be preserved by the people and the General and State Governments, which past and passing events would seem to indicate, then the period when the legacy of a common ancestry shall cease to be enjoyed, is already at hand.

It remains for me only to add, that the South has at last been aroused from its criminal lethargy to a knowledge of the dangers of its position. For the first time in our political history. party affinities are becoming merged in the higher obligation of co-operation for the sake

of safety, or for participation in a common fate. Of the two expedients advocated by those hose common interests have been assailed, the project of a Southern Convention is, in my view, undoubtedly to be preferred, where there exists a reasonable certainty of its assembling under sufficient guarantees for united and harmonious action. In the realization of this result, we have at least' reasonable grounds 'of assurance. I therefore bail with satisfaction the proposition of Mississippi, for a convention of the people of the Southern States, and ardently hope that it will meet with a warm and unanimous response. The paramount object is the preservation of the Union, in conformity to the principles of the Constitution of the United States. If that cannot be obtained-which I am willing to believe—then let it be resolved to protect and defend, at all hazards, the freedom, sovereignty, and independence of the members which compose it. In the latter alternative, should a dire necessity be forced upon the South, it must not essay to penetrate the future, but at once commit to God its cause and its destiny.

With a view to second and further the objects embraced in this proposition of our sister State, through the legislative channels of anthority, I suggest the expediency of empowering, by statute, the Governor, either to convoke the Legislature, if not in session, or to issue writs at election for a convention of the people, should the Wilmot Proviso, or any kindred measure, affecting the rights and honor of the State, re. ceive, the formal enactment of Congress. I would invite your special notice to the offence of introducing and circulating, within our limits papers calculated to disturb the peace of the State; also to the fact of the extensive dissemination of highly inflammatory essays and letters, intended to awaken jealousy in the minds of citizents, and of offensive pictorial representations, calculated to attract the attention of the colored population. It is not unfrequently conceded, that every

law of Congress, constitutionally enacted, is of supreme authority. This is an error, the exis tence of which the legislative history of the Republic, and an accurate perception of the relations between the States and their common a. gent, satisfactorily establishes. The regulation of commerce belongs exclusively to Congress; yet, by the quarantine laws of the States, that power is virtually abrogated. The laws of several of the southern states, prohibiting the ingress of colored cooks and stewards into their horders, are embraced in the same category. The right of the States to resort to preventative legislation, in cases involving the security of health, life, and property, has been repeatedly recognised by the General Government. The act of 1803 sustained the law of North Caroliagainst the admission of free persons of color from the West Indies. The State enactments on this subject rest on the principle, that the peace and security of a community are paramount to all formal provisions, and that, in every instance, lesser interests and considerations of convenience must yield to the imperi-

ous calls of public safety. That to probibit the circulation of incendia papers, through the mail, by Congress, is not a granted power; that the first article of the amendments of the constitution puts it beyond the competency of that body to legislate on the matter; that, consequently, it is among the reserved rights of the States, and one which the South, at least, could never consent to abandon, I hold to be incontrovertible propositions. Congress and the States are indeed not only bound abstain from all contravening legislation, but to grant effective aid, in certain cases, to any member of the Union. The obligation of the former emanates from the constitution; of the latter, from international law, as well as the fed-

Whatever penal safeguards, therefore, the egislature may deem it necessary to provide, pholding and securing their endangered institutions, no human tribunal could rightfully annual or modify.

I recommend that the circulation in our limits of incendiary papers, be declared an offence and the existing laws be so modified, as effectually to prevent emissaries in the state, by personal efforts, or incendiaries out of the state, from effecting, through the mail, the accomplishment of their nefarious schemes.

FREE SCHOOLS.

In my Inaugraul Address, I directed your attention to the cause of education and learning. Among the various schemes which have been suggested for its melioration and advancement, not one is tree from difficulty and embarrass. ment. To the South Carolina College you have extended a generous patronage and parental guardianship. The amount of intellectual power and moral energy emanating from that source, which has been so signally develop-States did not possess one slave, the records of tute the highest evidence of the wisdom of its esthe State and Federal Governments would ex. tablishment. The preservation of this noble inhibit substantially the same reckless determina- stitution, in all its vigor and commanding influ-

people at large. Their mental welfare is wor. thy of the highest public munificence. How may this be more profitably hestowed, under the disadvantages incident to a sparse population is a question not easy of solution.

Among the manifest errors of our present system, is the employment of incompetent teach. ors. The success of a school depends princi. ceptor. Teaching is not only a profession but a science. While of all pursuits, none is more honorable, its responsibilities and the momentous consequences the present and future generations, inseparable from the administration of its functions renders the improvement of the instructor's occupation, as far as that object is attainable by legislation, a primary duty of the sovereign authority. By constituting the busi ness of instruction a separate profession, the two fold end is accomplished of securing its elevation, and enlarging and consolidating the influence of the schools upon the community. The purpose of early education is not the acquisition of mere knowledge, but the practical development and strengthening of the mind. Hence the necessity that the master should be well acquainted with the temperament and disposition of his scholars, and he philosophy of

Although, perhaps, all other pursuits into which society is divided are well furnished with competent tollowers, the most importantthat of ascertaining and disclosing the intellectual resources of its members-is but meagrely provided. This arises in part from the want of demand for the fittest men, who again, by the unalluring prospects held out by the State, are deterred from embarking in a cause unsupported by the popular will and the popular sympathy. (An adequate supply of instructors for the masses, able, faithful, and irreproachable in character, is urgently required; and these should be invited into the pursuit by rewards fully adequate to the importance of the services rendered. 'The necessity of such a policy in this country, all other reasons apart, arises from the consideration, that our children ought to be not only active members of a civilized community, but efficient citizens of a free government. To meet these requirements, I recommend the organization of a separate department in the college for the special purpose of qualifying a limied number of young men, graduates of the State and Charleston colleges, drawn according to some equitable rule from different sections of South Carolina, for the occupation of teach. ing. Another mode of effecting this design. would be the pledge of an annual appropriation for a few years to the first three or four incorporated academies, located in the low, middle, and upcountries, founded and successfully conducted for the instruction of teachers; or a similiar promise to any of the existing schools of celebriety, that would provide for and practically execute a course of tuition in the attainment of

The expediency of providing for a superin tendent of free schools has repeatedly been the subject of Executive recommendation. Such an officer appears to be needed, mainly with a view to dissipate existing errors, and perhaps to reconcile conflicting opinions. I recommend that a suitable individual be selected to ascertain, by personal observation, the discipline and regulations of the schools; the mode of instructions; the books taught; the capacity and general fitness of the teachers; whether the sums respectively received by the districts and parishes are adequate to their wants, and the regular supply of qualified instructors; in fine. to see and report the practical operation of the present system, and to suggest small improvements as he might deem valuable. In this way, more light, it is probable, will be shed on the subject in two years-the time to which the agent should be limited -than the reports of the commissioners have furnished since the organization of the scheme for popular instruction.

As strictly germane to the matter under consideration, I am constrained to state, that suitable elementary works are greatly wanted. If a few of the books in common use tend to corrupt the taste of youth, others show the utter unacquaintance of their authors with the philosophy of the mind; moreover, these productions are generally unadapted to southern pupils. There are many in which the poison of fanaticism in some form is certain to be found. Hatred to our domestic institutions, directly or in directly expressed, is by this means attempted to be engratted on the tender and flexible

For the obtainment of proper elementary books, of which the Faculty of the college shall approve, the Legislature might offer a liberal reward. The public money could not be more judiciously expended.

## DEAF AND DUMB SCHOOL.

In company with T. N. Dawkins, one of the commissioners, I visited, in July, a school for the deaf and dumb, at Cedar Springs, Spartan-burg, under the superintendence of N. P. Walker. At that time, the number of pupils was eight-five males and three females-of whom seven were beneficiaries, and one pay scholar. Although the institution was not opened until the 22d of January last, the remarkable profi. ciency of its scholars assured us of the capacity, skill, and assiduity of the principal. We accordingly resolved publicly to recommend to the parents and guardians of mute children Mr. Walker's school, as well entitled to their patronage and confidence.

The location at Cedar Spring has long been distinguished for a salubrious atmosphere, and salutary properties of its water. To these ad. vantages—as soon as the work shops, in the progress of erection, shall have been completed -is to be added the means of instruction in some useful trade, by which the male pupils will have the opportunity of profiting.

Unpossessed as we are of accurate data in relation to the number of mutes in the State, there yet seems to be good reason to believe that fifty or sixty may exist. Forty pupils can now be accommodated with board and lodging by Mr. Walker. As the speedy enlargement of the school will require additional teachers, it may be gratifying to know that the services of one or more of that useful class are obtainable in this or a sister State.

In Hartford, Connecticut, there are seven mutes from South Carolina. Every year the number will be diminished; perhaps, in 1852, not one will remain out of the State. As the fund to the credit of the deaf and dumb is large, no further appropriation by the Legislature is required. At present, the blind are without the benefit

of education in our State. A hope, however,

CITADEL AND ARSENAL ACADEMIES.

I strongly recommend these schools, which from the efficiency of their discipline and modes of instruction, merit the epithet of Normal, to your fostering care and protection: The best commetary on their value is the fact that the graduates, without an exception, are now engag ed in honorable pursuits and in spreading over the State and elsewhere the intellectual treasures gathered at these institutions. So deep in my mind is the conviction of their usefulness and immeasurable superiority over free schools in all that relates to moral, mental and physical culture, that, independent of grave reasons of public policy, I am induced to recommend the establishment of another Military Academy, to be located in one of the upper districts; also that the accommodation for quartering the arsenal cadets be doubled, or by additions made sufficient for sixty-four young men.
To increase the utility of the Academies, el-

evate the moral standing of the cadets, and render more certain the prospects of their future efficiency, I submit the following proposals to your favorable notice:

1. That the Governor of the State, and the Board of Visitors and Faculty, be authorized to confer the degree of graduate of the institution

upon such cadets as may be found qualified to 2. That, in future, every beneficiary cadet shall be required to serve in the capacity of a teacher for two years after graduation, unless

excused by the Board of Visitors. 3. That the number of the Board of Visitors, to be appointed biennally by the Governor, be increased to nine, and that these be selected from different pursuits, and not confined exclusively to the millitary profession.

In conclusion of what has suggested itself on this subject, I would state that the number of students in the Arsenal Academy is twenty-one, of whom twenty are beneficiaries; the number in the Citadel Academy has averaged sixtyfive, in the proportion of forty heneficiaries to twenty-five pay Cadets. By the additional rooms which the new story to the Citadel building has provided, one hundred and thirty cadets may be accommodated.

## BANK OF THE STATE.

This institution was chartered in 1812. To the pecuniary pressure of the times, induced by the restrictive policy of the Federal Government, it owes its existence. The distress of the planting community was so general and paralizing, that the Legislature, after investigating every mode of relief, ultimately adopted the scheme of a system of public loans, in the nature of a discount, on real or personal property. The accommodation fornished on mortgage to individuals, limited at first to \$2000 each, but by the act of '25, increased to \$10,000 the 7th section of the original law prescribed should be distributed in proportionate amounts among the election districts. This proviso, I believe, has never been carried into effect .-Its execution, if required at the time, was soon rendered unnecessary, as it is well known, that our agricultural population recovered from the consequences of the sudden revulsion in their conditton, at an early period subsequent to the

In 1820, the capital of the Bank was pledged for the redemption of the public debt. This the establishment of a system of internal improvement, then commenced by the State. The immediate effect was to convert the Bank, for many years practically only a loan office, into an Institution to be conducted on purely commercial principles. By the usual accommodations on bonds, it incurred embarrassments and hazards, and the operation was too slow to attain the end, which, by a virtual modification original act, it was henceforth to fulfil.

In 1843, it was deemed "expedient and bene ficial, both to its citizens and the State, to recharter the Bank." It now becomes the solemn duty of the Legislature to inquire whether its existance shall be prolonged beyond the year '56, to which by law it is limited. On this subject a great diversity of opinion has for many years existed. The public mind seems at length to have been brought to the conclusion that the Bank has not accomplished the high purposes for which it was created; that it is a dangerous institution, anti-republican in its character and tendency; and that the evils inevitably arising from the connection between a the proprietors of the lands in the Indian bounmoneyed corporation and the State, increase and ramify, the longer the rights and privileges of the former are extended. The resolutions of your last session, adopted by very decided majorities, and the apparent acquiescence of the member elected in 1808, being only a leasepeople in the decision of their rulers would seem to have definitely settled the question of a recharter, and that necessarily all minor and col. lateral issues have been absorbed by it.

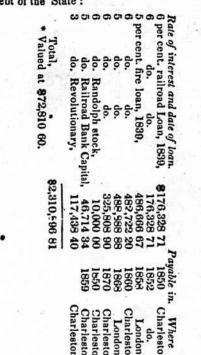
The political history of South Carolina has too long presented the anomalous spectacle of its constituted authorities pertinaciously upholding a State corporation, while it denounced any union (between a Bank and the Federal Government. To me it is obvious that, except the unconstitutionality of a United States Bank and its possession of a wider field of operation, every argument which might be wielded against it would fall with equal, if not greater force, against a State Bank. From experience, moreover, we learn that the establishment of such an institution, possessing the right of substituting a fictitious currency for determining the value of the products of labor, is not easily divested of its established authority. By the influence it insensibly acquires, it measurably perpetuates its own existence. The fatal blow to the Federal Bank was given by the Executive in the exercise of an unwarrantable power. I invoke the Legislature then to profit by the and of issuing grants to the respective lessees admonitions which the past has written on the Legislative history of our country. I also desire, in this place, to express my settled conviction, that the Bank of State was founded on a false and pernicious principle; that to grant to accede to the terms "of this act, or until the the members of a community almost exclusively devoted to rural pursuits unusual facilities for commanding money, is to inflict upon them and for their respective leasehold possession." numerous and difficult the obstacles in the way was set apart to purchase land, and for "the of receiving Bank accommodations by that class establishment and outfit of the Indians." Un the greater their contentment, and the more der this provision no action was taken, as neicertain the success in their vocation. When, ther the money nor object were named in the ever the agriculturist substitutes speculation for the results of industry, his prospects may was appropriated for that purpose. At that time seem brilliant for a season, but the day of dark. ness and disaster will inevitably follow. In submitting a plan for winding up the Bank,

I scarcely need assure you that in suggesting ascertained that no better arrangement could be the necessity for your action upon it, I have

Baring, Brothers & Co., of London, have addressed to me a communication substantially protesting against closing the Bank, on the ground that that institution was voluntarily offered by the State as one of the securities for the loan negotiated by them. I will only here remark, that it is not proposed to destroy the Bank, but to deprive it of its banking powers. It will continue as a corporation until 1860four years beyond the the period to which its duration extends by the existing law. At that time only \$488,888 88 of the foreign, and \$398, 619 50 of the domestic debt will be due, while the assests of the Bank will amount to about two and a half millions. But, in truth, the foreign debt will then have been paid, if the plan of hypothecating securities, or emitting new bonds should the ordinary means fall, be resorted to. In order to secure that result, the directors should be invested with full powers. By this expedient, the argument of violated faith will have no ground on which to rest. The State will have discharged its obligations in full, and that, too, before the period specified in the contracts. In the meanwhile, let the assests of the Bank, not required for the redemption of the liabilities of that institution, be selemdly set apart for the liquidation of the public.

PUBLIC DEBT.

The following is the detailed statement of the debt of the State :



The resources of the Bank, applicable to the ayment of this debt, amounting to \$3,888, 368 60, which is an excess of available assets over the liabilities of the State of \$1,532, 834-99, or over two and a half millions, if the sum of \$1,051,000, received from the federal government on deposit, be included.

In conclusion, allow me to add that, as far as my personal knowledge extends, the Bank from its organization to the present day has been ably and faithfully conducted. My objections are not to its administration, but to the policy in which the Institution itself originated.

The accompanying letters from the President and Cashier were written in reply to certain to warrant the exercise by the Legislature of a interrogateries propounded by me.

## CATAWBA INDIANS.

The Legislature, at its last session, confided to the care of the Governor this whole subject, with a request that he would "appoint some fit and proper person to examine into the condition of the Indians, and report to him." In conforming to the spirit of this resolution, I nominated five commissioners from the districts of the principal, in no exclusive, design of the of York and Lancaster to meet me, with as many of the Catawhas as could be assembled in the vicinity of Nation Ford, on the 23d day of July. At that meeting full and satisfactory answers were obtained on many, material points. Subsequently, I proposed a series of questions to the commissioners to elicit a written reply. At the same time, B. S. Massey, of Lancaster, was dispatched to Haywood county, North Carolina, for a purpose connected with the main object to be accomplished. Copies of the papers, disclosing the result of my investigation,

> The two important questions involved in the general inquiry, have reference, the one, to dary; the other, to the Catawba tribe.

now forward.

Thirty-seven years ago, the Catawba coun try, embracing an area of fitteen miles square, was unrepresented in the Legislature. The holder, was declared ineligible to a seat. The law of 1812, constituting a lease for three lives, or ninety-nine years, a qualification equivalent to a freehold, placed the people of that region. in relation to representation, on a footing with the rest of their fellow-citizens. By an act passed in December, 1838, the Revolutionary right to the lands, which thereafter were to "be considered and adjudged real estate," was transferred from the State to those who owned them "as leasses from the Catawba Indians." In 1849, an agreement was concluded with the Indians, by which they contracted to cede their interest in their lands for twenty-one thousand dollars. To be refunded for this expenditure, the Legislature imposed a tax of one and a half

cents on every acre within the Catawba limits. The present assessed rate is one half a cent an acre. By the act of that year, "to carry into effect the late agreement between the Catawba Indians, and the commissioners on the part of this State," South Carolina succeeded "to the right, title, and interest heretofore vested in the Catawba Indians, for the purposes of taxation thereof." The 7th section declares, that the lessees who had executed bonds, enjoined by a previous act, were required to pay into the Treasurv the annual sums stipulated, until they should expiration of the term of their leases; at either of which periods, they shall be entitled to grants their posterity an unmitigated evil, that the more the 5th section, it appears that the sum of \$7000 appropriation act of that year. In 1841, \$2500 the Agent had conditionally bargained for a tract of land in York district, containing 598 acres, at \$4 per acre. As it was subsequently instrumentality of Mr. Thomas, the Indian agent

> This brief history shows, that the inhabitants of the Indian territory occupy an anomalous po- lars shall be discharged, our obligation to minis-

made, the contract was concluded.

It is proper I should inform you, that Mersrs. sition, in which the Government should no longer compel them to acquiesce. South Carolina did not, by the treaty of 1840, buy the Catawba lands. The fee simple from the first settlement of the country had been vested in her, according to the legal doctrine as to Indian lands within the boundary of the original thirteen States : nor did she purchase the usufruct of the Indians. for the State had, two years previously, con-. veyed it to the lessees, who then held a right to heir possessions for ninety-nine years, with the privilege of renewing their leases. It is true, hat by the in erposition of the supreme authorities, an uncertain tenure has been converted into a sure and permanent one. For this just exercise of power, the proprietors have returned an adequate equivalent. In confident anticipation of speedy relief from their rulers, they settled and reduced a wilderness to the dominion of the plough. Where beasts of prey un-disturbedly roamed, a hardy, highly intelligent, and dense population are now to be found,-With an accurate perception of their rights and obligations, they feel that they do not stand on the same firm and elevated ground with the other members of their political family. The high prerogative of equality, by persistance in an invidious discrimination, is practically denied them. They do not complain of the pecuniary burden which they are made to bear, but that its imposition substantially proclaims them as in the enjoyment of a benefit, obtained generally without full costs, and in many instances, unworthily, if not fraudulently. It may safely he affirmed, that four fifths of the farmers are in possession of their estates by purchase for an ample consideration. For a large proportion of their possesssions, the real worth was paid before the existence of the treaty. The number who hold by inheritance, and who morally, if not legally, should be considered as purchasers, is comparatively very limited. In despite then, of this decided evidence of right-ownership, the Legislature has subjected all the proprietors to an annual charge upon their lands, which I hold to be unequal and unjust, and probably unconstitutional: unequal, in reference to rent and taxes; unjust, because poor land pays more than the rich; unconstitutional, for the reason that it annuls written contracts.

If the public-spirited and industrious citizen who now hails from that interesting division of South Carolina, had been prevented by considerations of insecurity of title from constituting it his home, the result would have been a loss to the State of over three thousand farmers, all the advantages flowing from their agricultural en-terprize, the labor of a large black population, and a very considerable revenue derived from the tax on slaves. To constrain him therefore to remain in his present unsatisfactory situation, would be manifestly inexpedient and impolitic. Barriers which create avoidable distinctions, especially in relation to pecuniary burdens, ought not to be allowed in a republic; but if, from any cause, permitted, they should exist only so long as the public interests imperiously demand. At this period too of difficulty and alarm, we should rigidly abstain from the enforcement of any measure that by possibility might interrupt the current of barmonious feel.

ing which now so happily pervades our borders.

The difference het ween a half cent per acre
and the tax that would be levied, if the lands were assessed in the ordinary way, is too small questionable power. Virtually, equality in the payment of the State taxes would not remove the lien on the possessions of the proprietor, but by diminishing the yearly rate, only extend the period of reimbursement of the debt, for which his lands by statute are pledged.

Influenced by these views, I recommend that the bonds, given in pursuance of the requirements of the act of '38, in number 25, and amounting in the aggregate to \$1,226 24, interest and principal, he cancelled; that the lands within the late Catawba territory be classified and valued, with a view to the payment of taxes by their owners; and that the State lischarge the remainder of the debt due the indians from the public treasury.

By treaty of 1840, South Carolina agreed to expend five thousand dollars for the purchase of land in Haywood county, or in a mountainous or thinly settled country; to pay for the outlay of the Indians two thousand five hundred dol. lars : and afterwards fifteen hundred dollars annually. A true construction of this clause of the "agreement," perhaps warrants the conclusion that, whether or not the emigration of the tribe should take place, the State was bound to pay the respective amounts, and at the periods specified. So far is this from having been done that, from the report of the commissioners only an amount of nine thousand two hundred dollars of the debt, that was to be liquidated in 1851, has been cancelled. It is to be inferred from the evidence adduced, that many of the Indians in North Carolina have received either no part, or legally an insufficient portion of their annnity; and with regard to the majority, that its apportionment has been made at times irregularly, and without reference to any established rule. For this result I acquit the agent of all censure. In the prosecution of his responsible engagements, I believe him to have practiced all proper zeal and fidelity.

The terms of the treaty not having been complied with by South Carolina, how and when the remainder of the debt, \$11,800 is to be paid, is a question for legislative decision. In aid of your labors on this subject, I desire to bring a few facts to your notice. The present Indian farm, within the old Catawba boundary, was purchased for \$2,000. Only one family of six persons-a mother and her young children, reside upon it; of the other members of the tribe in this State, forty-eight lead a wandering life; and fifty-eight are in North Carolina .-Strong efforts have long been persoveringly but fruitlessly used to induce those who form a part of our population to live on their own land .-The roport of Mr. Massey shows, that the Catawhas in Haywood are dissatisfied with their condition; that many design returning to South Carolina; and that, after due deliberation, their chiefs or head men, in both States, had notified him of their willingness to emigrate and unite with the Chickasaws, as soon as the means of removal shall be put at their disposal. In the act of Congress making provision for the current and contingent expenses of the Indian Department, passed July, 1848, it appears that the sum of \$5000 has been appropriated "for the removal of the Catawba tribe of Indians now in the limits of North Carolina." As this grant was obtained, it is believed, through the of that State, the reason why the act does not apply to South Carolina is apparent.

When the debt of twenty-one thousand dol-