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GOVERNOR'S MESSAGE.

Gentlemen of the Senate,
and House of Representatives:

Allow me to congratulate you upon assembling again, under the most auspicious circumstances, to legislate upon the affairs of South Carolina, and by the enactment of new laws, and the establishment of fresh precedents for her future government, to promote her moral and social welfare, improve and develop her internal resources, and to increase her commercial and political importance among neighboring States and nations.

Whilst the Constitution, under whose provisions you are here assembled, imposes upon you that highest of all social responsibilities, the task to provide for the welfare of the people of the commonwealth, upon me devolves the subordinate obligation to lay before you from time to time, information of its condition, and to make such recommendations as I shall judge necessary and expedient. The absence of a comprehensive political experience enables me but imperfectly to meet all the requirements of such a duty. In inviting, therefore, your co-operation to the recommendations which I shall make, your wisdom and experience will carry into effect those which are advantageous; and for the rest that is demanded by the wants of the State, a safer reliance cannot be placed than in that patriotism and enlightened view of public policy, which, under all circumstances, either in peace or in times of trial, have characterized your legislation.

The year which is past has been one of signal prosperity to the State. Not only has it been characterized by an unusual degree of health, but every department of industry exists in a condition of thrift and prosperity. Although the growers of cotton are not reaping as large a yield of their labor as they at one period anticipated, yet the present fair price for their staple and a comparative freedom from debt, place the planters in a condition of greater independence than they have enjoyed at any previous time. Their property, both real and personal, is greatly increased in value, and fresh sources of revenue are opened to them, by new, convenient, and more expeditious means of communication with the metropolis and other market towns. Improved modes of tillage and the importation from abroad of fertilizers for their lands, are adding each year large amounts to the income of the State, and are fast laying the foundation of a steady improvement and permanent wealth. If possible, the results of the year's labor among the tide water planters are even more flattering. The season has been free from flood or unusual gales, and the summer rains have paced at their disposal an abundance of fresh water for the luxuriant growth of the grain.—The harvest has been heavy, and the high prices which their grain crop at present commands, make it the most prosperous of all the agricultural interests of the State—as indeed it usually is in the absence of those calamities which sometimes affect it. In addition to these facts, in this summary of the condition of the State, the city of Charleston, exempt as it has been during the summer, from every sort of epidemic, and presenting in its bills of mortality a condition of health which will compare favorably with those of any city upon the continent, has had a tide of commerce poured into her lap, which she has never before received. Both the domestic and foreign importations into the city have been unusually large, and sales have already been effected to an extent nearly as great as in the entire business seasons of other years. Railroads leading into the interior, and into regions beyond the State limits, which have hitherto been in the progress of construction, are now performing their proper functions, and conferring their expected benefits. This, together with the great health of the city, has brought to her markets new and valuable customers, and the daily increasing facilities by rail, to points still more distant, will, at no remote period, convert the present confines of the city into the more extended limits of a great metropolis.

The subjects to which I shall chiefly call your attention, are the finances of the State, the condition of the Blue Ridge Railroad enterprise, popular education, and the subjects connected therewith, the condition of the Asylum for the insane, the construction of a new Capitol, the question of boundary between Georgia and South Carolina, the laws regarding colored seamen, and to one of the articles of the consular convention between the Government of the United States and his Majesty the Emperor of the French.

I herewith submit to you an abstract of the condition of the finances of the State together with a statement of the condition of the Bank of the State on the 1st October, which is the end of the fiscal year. For that period, the results of its operations cannot be otherwise than satisfactory.

The profits of the bank during the year have amounted to \$330,000, exceeding the profits of the previous year \$21,594.92. From these profits have been paid the interest on the fire loan debt, 100,963, and the balance carried to the sinking fund amounts to \$229,037. The account exhibits a larger balance than usual; but the Bank has advanced to contractors for arms, &c., about \$51,000 which is a set-off against this balance. The sum of \$75,000 has also been advanced to the Greenville Railroad Company, which is the amount of assessment on the stock held by the State in that Company, and which, if paid by the State, will make a further reduction of the cash balance in the treasury. The bank holds the notes of the Company with security, for the amount of the advance.

The funded debt due by the State, on 1st of October, consists of:

5 per cent loan bonds, payable in London, '58 and '68.....	\$937,777 78
6 per cent. fire loan stock, payable '60 and '70.....	805,590 15
6 per cent of 1849, (balance past due not bearing interest.).....	8,418 30
5 per cent. 1838, balance.....	45,214 34
3 per cent. at nominal value, \$117,438 40, but at market price would amount to.....	73,986 19

\$1,870,986 76

The treasury has paid from the sinking fund since 1st of October, \$6,032.50 of the 6 per cents of 1839, reducing the balance to \$2,385.80. The bank also holds of the 5 per cent. stock of 1838 the sum of \$6,079.11, and also \$7,441.53 of 3 per cents, which was purchased with the sum of \$4,608.16. The amount of indebtedness is diminished by these several payments and purchases.

The assets of the State consist of the bank and various railroad stocks. The assets under the charge of the bank may be summarily set down as follows:

Total funds in the bank as exhibited by the annual statement
1st October.....\$8,919,934 49
Deduct bank liabilities, issues, deposits, &c.....4,086,590 22

Balance, being assets, the property of the State.....\$3,833,342 27
South Carolina Railroad and bank stock.....641,000 00
Greenville R. R. Company.....348,000 00
Wilmington and Manchester Railroad Company.....200,000,000
Charlotte and Columbia Railroad Company.....69,200, 00
King's mountain Rail Road Company.....50,000, 00
Laurens Railroad Company.....34,000, 00

In addition to the funded debt due by the State, there is due to the bank the sum of \$177,691 62 for cash paid to the South Carolina Railroad Company, when \$25 per share on the stock of that Company was called in. As the whole par value of the stock is set down among the assets of the State, it is necessary to notice this debt in an estimate of her finances.

The item of \$51,000 advanced to contractors for supplying arms under contracts made by the late Board of Ordnance, previous to its abolishment at the late session, was paid by the bank upon the representation of the facts of the case from this department.

The late Board of Ordnance was empowered, under the act providing for the military defence of the State, passed in 1851, to make contracts for arms and munitions of war to the extent of \$300,000. The board, during its existence, made contracts to the full extent of the appropriation; and all moneys due contractors were drawn by orders from the Executive upon the Treasury. In entering upon the discharge of the duties of my office, I found the balance of \$51,000 still due, and all the contracts fulfilled according to stipulations.—I accordingly gave a draft upon the Treasurer for a portion of the amount still due; but that officer did not regard himself authorized by law to pay the draft, as no special authority had been given to the Executive to draw funds for this purpose after the Ordnance Board had been abolished. Under these circumstances, I presented the matter to the consideration of the President of the Bank, and advised the payment of these sums by the Bank, in order to avoid the injury which would inevitably result to a portion of the contractors with the State, and great embarrassments to all of them. The President, with his accustomed liberality of views, at once acceded to my wishes, and by his timely relief prevented much distress, if not positive ruin, to deserving individuals, who had been fostered into existence by the State as manufacturers of arms. I trust that the course which has been pursued will meet with the approval of the Legislature.

By the act of incorporation of the Blue Ridge Railroad Company, passed by the late General Assembly, the guarantee of the State upon the bonds of the Company, to the extent of \$1,250,000 was secured upon the following conditions: First, that \$500,000 should be previously subscribed to the capital stock of the said Blue Ridge Railroad Company in South Carolina, by responsible persons, companies or corporations. Secondly, that such subscriptions should be made, or aid furnished to the Railroad Companies in North Carolina and Tennessee, designed to connect with that portion of the Road lying in this State, as would give reasonable assurance of the construction of the said N. Carolina and Tennessee Roads. These conditions have been complied with.—The City of Charleston has subscribed \$500,000 to that portion of the Road lying within the State; and Messrs. Anson, Bangs and Co. have contracted for the construction of the entire Road, from Anderson in this State, to Knoxville, in Tennessee, which renders the connection not only reasonably assured, but as certain as any enterprise of such an extent can be. By the terms of this agreement the contractors are to receive in payment one-half in cash, and the other half in capital stock and mortgage bonds of the Company. By this mode of payment, the ultimate estimated cost of the Road is brought much more nearly within the scope of the resources of the Company than is usual in enterprises of such magnitude. At rates agreed upon with contractors, the entire cost of the road, from Anderson to Knoxville in Tennessee, together with necessary appurtenances, including interest accruing upon the bonds of the Company until the completion of the Road, will amount to the sum of \$7,500,000. To meet this outlay, the Company estimate their resources as follows, viz:

Subscription by the city of Charleston to the Blue Ridge Railroad in South Carolina.....	\$500,000
Subscription by the same to the Blue Ridge Railroad in Geo.....	549,000
Subscription of Knoxville and Charleston Railroad Company.....	500,000
Other subscriptions, estimated at.....	151,000
State endorsement of bonds of the Company.....	1,250,000
Estimated amount of stock and bonds to be issued to Messrs. Bangs & Co., being one half of \$7,500,000.....	3,750,000
	\$6,700,000

It will thus be seen that the means of the company will fall short of the estimated cost of the work, about \$800,000.

This enterprise is undoubtedly the wisest and the greatest which has ever been projected

in this State, and the ultimate results will be as beneficial to her interest, proportionally, as the great western lines of road to New York or the Baltimore and Ohio Railroad now are to each of those cities respectively, and commenced under circumstances much more favorable to its completion. It is a more important measure than the proposed Charleston, Louisville and Cincinnati Railroad, because it is a shorter route, embracing all the advantages of the other, and is less liable to the diversions of trade from the valleys beyond the Alleghanies, owing to its peculiar location.—By an arrangement shortly to be consummated, the charters granted in Georgia, North Carolina, and Tennessee will have all their privileges ceded to the Blue Ridge Railroad Company in South Carolina, so that the latter named corporation will exercise entire control over the affairs of the whole line of road. By this it will be seen that all means have been adopted to give security to whatever capital the State, or the citizens within the State, may contribute to this great work, by confining the control of its affairs altogether within our borders. To perpetuate this power is in the highest degree desirable. It will give to the State the indefeasible right of a railroad communication from Knoxville, in Tennessee, to Charleston, and the exclusive power to control and manage the affairs of this company; thus establishing in perpetuity a highway of trade and travel from the remote west to our own sea ports, the value and importance of which can hardly be estimated.

In addition to these results from abroad, the effects of such a highway of trade and travel through the State will exercise a great influence upon her internal prosperity. The improvement of the upper portions of the State—the increase in the value of property—the many increased facilities it will give for commerce—the employment of their labor in construction—the expenditure of large sums among them for material and mechanical skill—and the increased value that will be given to stock in railroad companies already in existence, in which the State also is largely interested—are considerations which must influence your judgment to promote by every safe and judicious means the successful accomplishment of this great work.

By the communication which was established by the charter between this department and the Blue Ridge Railroad Company, I have been enabled to ascertain, that by the terms of contract between Messrs. Bangs & Co., the work was to be commenced on the first of this month—and that a large portion of the surveys are completed, and found to present fewer obstacles than was at first supposed. A location has been made for tunnelling the Blue Ridge, and work allotted to contractors,—that their preliminary arrangements are in a state of forwardness,—that the Districts through which the road will pass in this State will abundantly supply all the necessary labor,—that the citizens both in this State and beyond it have with extraordinary unanimity ceded the right of way without compensation,—and that every circumstance tends favorably to an early and thorough completion of this enterprise, which was projected by the President and Company with so much patriotism and zeal, prosecuted with such signal industry and ability.

I have thus laid before you at some length, but as briefly as possible, all the facts in my possession with regard to the condition of the Blue Ridge Railroad enterprise. I now recommend that the State subscribe to the company the sum of \$750,000, in order to put the enterprise beyond the reach of ordinary reverses, and in this way to secure to the citizens in this State the control of a majority of the stock of the Company, in reference to the contingencies which may frequently arise, where trade and commerce are to be controlled for our benefit. Nor would such a step be unusual or partial, since the Legislature has not only extended important aid to railroads constructed entirely within the State, but to roads which have been projected beyond its limits, as in the case of the Charleston, Louisville and Cincinnati Railroad, and in the Wilmington and Manchester Railroad. The endorsement of the bonds of the Blue Ridge Railroad Company cannot be regarded as a subscription, for it is totally dissimilar in its character, and far less beneficial in its operation. In the one case the State becomes a copartner, and risks her capital, and awaits the distant returns of dividends; in the latter case she simply makes herself liable as an endorser, and takes the first mortgage on the property of the stockholders to secure herself against the possibility of loss. Undoubtedly the most important measure which I shall bring to your consideration is the reformation of the present system of public instruction in the State.

If, as has been frequently stated, education is the cheap defence of nations, and the permanence of republican institutions depends upon the enlightenment of their citizens, you have but little security for the prosperity and happiness you now enjoy. Education has been provided by the Legislature but for one class of the citizens of the State, which is the wealthy class. For the middle and poorer classes of society it has done nothing, since no organized system has been adopted for that purpose.—You have appropriated seventy-five thousand dollars annually to Free Schools, but under the present mode of applying it, that liberality is really the profusion of the prodigal, rather than the judicious generosity which confers real benefit. The few who are educated at the public expense in those excellent and truly useful institutions, the Arsenal and Citadel Academies, form almost the only exception to the truth of this remark. No State can boast of nobler institutions than the South Carolina College and the Military Schools. One has already conferred untold benefits on the State. In it have been nurtured for half a century most of the character and genius of South Carolina, and it is now sustaining her reputation for scholarship and intellect. The others are dispensing such scientific and practical knowledge as becomes more sensibly felt each succeeding day. Both ought to receive, as every way worthy, a continuation of your care and benefactions. But still there is wanting a system of public instruction, which will educate better, and in greater number, the youth of the State of all

classes of her population. It should not be an elemosinary proffer to those whose pride and ignorance make them either reject the gift, or receive it without benefit or gratitude; but rather a fountain flowing for all, at which they may freely partake. Upon the same school forms and by the same masters should be taught the element of education to all the youths of the State; and let those who tastes or means enable them to do so, pursue those other avenues of knowledge which will lead them to a more ambitious eminence, and a wider field of display. But let the basis of the education of the young of the State be laid in her primary schools. This will afford that patronage which is necessary for the support of any system. It will not be done immediately; but by pursuing a judicious design, to be carried into effect by capable individuals, this end will be ultimately accomplished.

Such a design does not preclude the existence of private schools. Extend instruction, and the more instruction will be required.—Pierce this barrier of prejudice and ignorance, which refuses all approach to the adoption of better views of public instruction, and for one school established, fifty will spring into existence. Ten years ago, twenty thousand adults, besides children, were unable to read and write in South Carolina. Has our free school system dispelled any of this ignorance? Are there not reasonable fears to be entertained that the number has increased since that period? Are generations to come and go, and still see no improvement in the education of the humble portion of your population? If no change is effected with increasing commerce, with 1,300 miles of railroad, with your machinery, with your unimproved lands, who are to be your merchants, engineers, machinists and mechanics, and your farmers?

A reformation in public instruction, if any be made, cannot be effected directly by yourselves. It must be done by your agents. I recommend to you the establishment of a Board of Education, and the appointment of a Commissioner of Public Instruction, whose duty it shall be to gather facts with regard to this State, and thoroughly inform himself upon the systems of such other governments as educate their people best, and report the result of his labors to the board or commission, who together shall digest a plan to be submitted to you for ratification or rejection. Pay them either by an appropriation, or by a per centage from the free school fund.

The Board, I suggest, shall be appointed by you; the Commissioners of Public Instruction to be chosen by the Trustees of the South Carolina College by and with the consent of the Executive.

Accompanying this communication is a letter from the President of the South Carolina College upon the subject of Public Education, which contains views so well considered and able, as to induce me to lay it before you, with the hope that you will give it such attention as the importance of the subject demands.

The subject of Medical Education, is one which I think should engage your attention, and receive, as germane to a general system of education within the State, a portion of your care and assistance. Nor is this an unimportant part of such a system. Occupying as we do a region which is not exempt from malarious influences, we should be particularly interested in all those means by which the natural influences of the climate can to some extent be obviated, a knowledge which is best acquired in latitudes in which those diseases are most prevalent.

It is doubtless known to you that about thirty years ago the first effort was made to build up and sustain a Medical College within the borders of our own State, and thereby to offer to our young men the means of acquiring at home a medical education as thorough and complete as they could obtain abroad. There were valid reasons why this effort should be made; and subsequent experience has afforded the most convincing proof of the deep interest our people and State should feel in the success of such an enterprise. Thus far the Medical College of the State of South Carolina has grown steadily in prosperity and reputation, until it has obtained in point of respectability an equal footing with the most respectable of similar institutions in the United States. For this success it has been mainly indebted to the zeal and untiring efforts of its Professors; for whilst other States have been most munificent in cherishing their Medical Institutions, South Carolina, although she has done something, has fallen far behind most of the States of the Confederacy. In this age of active competition, the absence of adequate means has placed that Institution at great disadvantage, and at the present moment especially, when the rapid advancement of science, growing out of the daily development of new truths, forms more multifarious and complex processes of investigation, the appliances necessary in a thorough system of education and illustration have become so numerous and expensive, as to be entirely beyond the limited resources of a Faculty dependent exclusively upon the fees of the students for their inadequate compensation. This natural wear and tear of property and of their means of illustration already at command, impose an additional burden upon the Professors, which they cannot well sustain.

I herewith present a memorial from the Medical College of the State of South Carolina, which sets forth more in detail the necessity for an appeal for State aid; not only for reasons already given, but for others which are therein clearly and forcibly stated. Not the least important among them is a necessity for the repairs of the edifice, and increasing its convenience by enlargement. I cordially recommend an appropriation for the required aid.

The State makes provision annually for the education of one of the youth from the Charleston Orphan House, to be selected by the Commissioners. This liberality on your part has already been extended to several young gentlemen, whose subsequent advancement and usefulness in life have proven the wisdom of your benefaction. Through me the commissioners now ask that provision may be made by you for the education of another youth upon the same conditions as in the other case. I take great pleasure in adding my recommendation to their request.

At your last session an appropriation of

\$50,000 was made for the continuation of the construction of the new Capitol, and during the past year the work has progressed to an extent commensurate with the amount appropriated. The plans have all been perfected by the skill of a competent architect, who has also the supervision with the commission of the whole work. Ample and convenient arrangements are made for all the departments of the State Government, and the building, when completed, will be one of the most elegant, commodious and desirable in the Union. Every improvement which modern skill has devised has been incorporated in the plans. The granite of which it is constructed is found in great abundance convenient to the work. If completed upon the plans already determined upon, (at a cost in my judgment by no means unreasonable) this edifice will be fresh in its massive strength and beauty when many generations shall have passed away, and will remain for ages a monument of your taste, State pride, and liberality. I recommend such liberal appropriations as will warrant an active and energetic prosecution of the work, and insure its early completion.

I shall now proceed to lay before you a subject which will engage your judgment, as well as interest your sympathies. Undoubtedly among the first duties of government are to legislate for the security of life and property, and the protection of morals. Next in order is the education of all classes of citizens. The third is to make provision for those who by natural or other infirmities are unable to care properly for themselves in the affairs of life. Among all nations the performance of this latter obligation is regarded as the highest evidence of enlightenment and civilization. Those who are selected by their fellow men by reason of their superiority of intellect to provide for all their social and political wants, ought surely to be such as are most regardful of the condition of that class of society from whom the light of intelligence and reason has been removed, and who are already the most unhappy of mankind.

In the year 1821, when the Asylum for the Insane of this State was established, the arrangements made for its inmates were far in advance of those of any similar institution, not only in this country, but in Europe. In it the system of coercion was abolished to a greater extent than any other similar establishment; the personal comforts of the patients more amply provided for; and the whole system, as formerly adopted in the Bicetre and Salpêtrière, where the insane were regarded as cowering felons or brutes, was superseded by a more gentle and humane treatment. But since that period, whilst this institution, from the character of the building erected for the accommodation of patients, together with its unfavorable location and the limited extent of the grounds about it, has from necessity remained stationary, others, both in this country and in Europe, have left it far behind in the improvements which science and experience have suggested; and they now present us in turn examples from which our own system can be greatly amended.

I have made a portion of my public duty to examine into the condition of the State Asylum for lunatics, and the result of my observation has been to recommend to you a thorough change from all the present arrangements. Provision is made only for 120 patients—against about 400 lunatics, which are estimated as the number in the State. The accommodations, therefore, are too small; and the duties of legislation upon this subject will be but imperfectly discharged as long as there remains a single lunatic unprovided for. The situation is within the corporal limits of Columbia, exposing the inmates, without the possibility of avoiding the difficulty, to all the noise and bustle which prevails in a city, thus defeating very often all the regulations for their perfect repose by the Physician and Superintendent. A location in the country, surrounded by a farm and gardens, with other conveniences of air and exercise, are regarded as indispensable to a proper treatment of maladies of the mind. These advantages cannot be had in its present position nor can there ever be a sufficient increase of accommodation from the limited extent of the grounds, as will meet with the present wants, still less for those in the future.

The construction of the edifice is altogether defective. The population within are so thrown together as to prevent anything like a classification of the patients. The refined and sensitive, more alive perhaps to uncongenial associations than persons of sound mind, are from necessity made to associate, to some extent, with those who by their misfortunes have descended to the lowest thoughts and habits possible for human beings; so that from this cause many patients of the former class are under the necessity of being provided for by their friends without the State, in institutions which are more judiciously arranged. The basement, which was intended for patients of a certain disposition, and which is perhaps one of the most important portions of the structure, from its excessive dampness and wretched ventilation is totally unfit for habitation. The dormitories, or rather cells, for they can hardly be dignified with a name implying convenience and comfort, are not large enough for a person in health, still less are they adapted to a class who, from one of the peculiarities of their disease, require a greater amount of pure air. Their dimensions are six feet by eight, and ten feet in height, affording only 384 cubic feet of air, which by persons scientifically and practically acquainted with the treatment of insanity, is regarded as but little more than half enough.

From the confined limits of the ground, and the necessity for fresh air and exercise for the inmates of the Asylum, permission has been given to a portion of them to walk on the public highway and in the streets under careful restrictions; but such liberty has always been attended with results so unpleasant and injurious, that the authorities have been forced to limit their movements to circumscribed courts of a single acre of ground, where 170 patients are assembled, and so shut in by building and wall as almost to exclude from them the pure air of heaven, and hide from their view its blue sky.

The institution has been managed, in my opinion with great judgment and ability. I believe that to nobody of Regents in any Asylum are more able or enlightened in their views

than those who preside over the affairs of this. I believe them to be active and benevolent in the discharge of their duties. So also with the Physician and Superintendent.—They make the best use of the means and appliances which are afforded them. But under more favorable legislation at your hands they can achieve more. It is an ascertained fact that, in a properly constructed building, located in the country, with sufficient area of ground about it, and other advantages known to scientific men, the rate of cure is about fifty to sixty per cent. Under circumstances the reverse of these, the rate is only about 22 per cent. Is not this then an occasion for the exercise of your beneficent and liberal interposition?

I submit to you, therefore, the propriety of removing the Asylum to some convenient and healthy country, location near the town, and give to the insane a habitation constructed upon new and better principles, which shall be to them a comfortable and agreeable residence, where their happiness and health can be promoted by a proper classification, with other great advantages. Enable them to enjoy the fresh air, the sky, and the recreations to be derived from the cultivation of trees and flowers, and to see nature in her thousand pleasant forms. Enable their guardians to induce them to take an interest in surrounding agreeable objects, and insensibly to woo their minds from the contemplation of the secret sources of their own excited fancies, and by promoting their innocent and admissible pleasures prevent them from brooding in hopeless despondency upon the chaos of ideas, which momentary gleams of intelligence only serve to make more terrible to them.

During the past year the sum of \$30,000 was appropriated by you to enlarge the Asylum. A portion, I believe about 13,000 has been expended in providing temporary accommodations without the walls. A moderate appropriation by the State annually, with the sum already in the hands of the Regents, will in the course of a few years erect new and improved buildings, in a situation better adapted to the ends in view. When such a new building has been made to progress towards completion, the State can be refunded to the extent of a portion of its outlay by the sale of the present Asylum property, which is valuable and becoming more so daily, with the increase in the value of real estate in the town.

At the last session of the Legislature the Governor, in connection with the Attorney General, was directed to take such steps to protect the rights and jurisdiction of South Carolina in the controversy now pending between Georgia and this State, upon the subject of boundary, as they might deem necessary. In conformity with these instructions, the Attorney General addressed a full and able article to his Excellency the Governor of Georgia, in reply to a communication from him to my immediate predecessor in which the rights of the State to the thread of the stream of the Savannah river, following the most Northern branch as the true boundary between the States, are clearly set forth. I am now confirmed in the opinion of the equity of this view of the case, since by examining a certified copy of the original charter of 1732, and other records among the archives of the State, I find the express language which this State claims to have been used in the original charter, and under which our title is urged.

This State has a right to rely upon the following as conclusive in the controversy:—1st, the words of the Georgia charter of 1732, as given by Whitaker's Report in 1736 and half a century later by Watkins, and a copy of the original charter, certified by the Lord Mayor of London, and now among the archives of this State; 2d, the convention of Georgia in 1797, defining her own boundaries.

I perceive by the late Message of His Excellency Governor Cobb, that he recommends to the Legislature of Georgia to submit the question of boundary between the States for final settlement to the Supreme Court of the United States, in compliance with a proposition from the Attorney General of this State. I suggest to you the propriety of assenting to such a reference as the most complete mode by which a final settlement of this question can be effected. In the last Annual Message of my immediate predecessor, a communication was made to you in regard to certain proceedings instituted by her Britannic Majesty's Consul, with a view to test the validity of the laws of South Carolina regulating the admission of colored seamen into the Port of Charleston. I am glad to inform you that both of the classes then referred to, that of Manuel Pereira, and of Reuben Roberts, have been settled.

The case of Pereira was placed on the Docket of the Court of Appeals in Charleston at the January term of the present year, and was considered by the Court, which refused to hear argument on the merits of the case and dismissed the appeal on the ground that Pereira being already at liberty, Habeas Corpus could not be prosecuted in his behalf.

The case of Reuben Roberts vs. J. D. Yates, instituted in the Federal Court came up for trial at the Spring term of that Court, Judge Gilchrist presiding alone. In the charge, the Court sustained the validity of the law, and a verdict was rendered for the defendant. An appeal was had to the Supreme Court at Washington, but in July last the Attorney General was formally notified that the appeal had been abandoned, and the cost of suit paid by the plaintiff. Thus has the validity of the laws of the State upon this subject been fully vindicated, and the matter now remains as it did before proceedings were instituted. The question of a modification of them is relieved of all its embarrassment, and may with entire propriety come before you for consideration as a new question. The course adopted by the British government in the latter stages of the proceeding has been so timely and respectful, as to claim from you a conciliatory spirit in your legislation upon this subject.

Entertaining, as I do, the opinion that the laws referred to can be so modified as to remove all complaint of injustice and inconvenience, and at the same time to protect the city of Charleston from all injury resulting from the introduction of such a class of persons into it, I cordially recommend such measures as you may deem necessary for the accomplishment of such a result,