

There be such a route, should undoubtedly be adopted. As a Citizen of the State, without reference to any local position, I sincerely hope that the central route may be found to have that unequivocal claim to preference. I even think it should be adopted, unless some other route shall appear to have a decided superiority over it. But I am sure that no public spirited citizen, anxious for the success of the work; no stockholder, reasonably regardful of his own interest, will be disposed to go farther. To insure success in scaling those mountain barriers which have so long made strangers of kindred communities—an achievement surpassing in sublimity all that Xerxes and Hannibal and Bonaparte ever accomplished—united councils are indispensably necessary. The only mode of effecting this desirable result will be to have all the proposed routes and mountain passes accurately surveyed by scientific engineers, before any comparison is attempted. When this is done, it is extremely probable that the preferable route will be so clearly indicated, as to supersede all doubt on the subject.

How far it may be expedient for the State to aid in the prosecution and completion of this work, by subscribing to the Stock of the Company which has been incorporated, I think the time has not yet come for deciding. The Charter has already been saved by our public spirited fellow-citizen Col. Wade Hampton, who being one of the Central Commissioners at Knoxville, subscribed the whole sum which appeared from the returns there received to be wanting to make up the four millions. Until the route shall be definitely selected, and active operations commenced, the emergency does not seem to call upon the States interested, to embark in the work as stockholders. Moreover, there are some considerations growing out of the mode of constituting the Board of Directors, prescribed by the Charter, as amended by Kentucky, and the relative sums subscribed in the different States, which render it a measure of obvious prudence on the part of South Carolina, either to procure a modification of the Charter before the subscribers, or to make a conditional subscription.

The act of incorporation passed by this State, provided that three of the twenty-four directors should be chosen from qualified stockholders residing in each of the States of North Carolina, South Carolina, Tennessee, Kentucky and Ohio, and that nine should be chosen indifferently from all the stockholders. The amendment interpolated by Kentucky, provides that six of the directors shall be chosen from stockholders residing in that State, while only three shall be chosen from each of the other States, leaving but six to be chosen indifferently from all the stockholders. This very exceptional claim of undue power, on the part of Kentucky, becomes absolutely revolting when we advert to the fact, that the entire subscription in that State amounts to less than \$300,000, and that no one person there has subscribed a sufficient number of shares to qualify him to be chosen a director. In this state of things a board of directors cannot be organized, and if it could, Kentucky with less than a twentieth part of the stock, would wield one-fourth part of the power of the company. On the contrary, South Carolina owning five-sixths of the stock, could in no event have more than nine directors. I can perceive no equitable principle upon which the holders of five-sixths of the stock in South Carolina, shall have only nine directors, while the holders of one-sixth of the stock out of South Carolina, shall have fifteen. This is certainly an unprecedented anomaly in the organization of corporate powers, and I think the people of South Carolina have been sufficiently admonished by bitter experience, of the fatal consequences of having their interests controlled by a foreign and irresponsible power, to make them very cautious in placing the power on one side, while the interest to be affected by it is on the other.

If we look to the questions that will probably arise, at the commencement of the proposed work, the danger of this separation of power and responsibility will be obvious. Upon every principle, the road should commence at Charleston, and proceed continuously on towards its Western termination, at least until the money contributed in South Carolina shall be expended. And yet it will be in the power of the directors out of the State, to reverse the operation, and expend the whole sum subscribed by the citizens of this State, in Kentucky, where so small a sum has been subscribed.

This pretension of unequal power on the part of Kentucky, becomes still more intolerable when we advert to the causes that gave rise to it. By the Charter as passed by this State, and all the others except Kentucky, the Road was to run from Charleston to Cincinnati. The clause interpolated by Kentucky, requires that the company, at the same time that they carry the Road from the Cumberland Mountain to Cincinnati, shall carry a branch to Louisville. It also requires that a branch shall be carried from Lexington to Mayville. The company are thus required to construct two branches making together some 150 miles of Rail Road, obviously against their own interest, and merely to accommodate two towns in Kentucky; and to ensure the performance of these most unreasonable conditions, they are moreover required to give Kentucky three directors gratuitously.

There is no practical view of the subject that can make it the interest of the company, or the great public concerned in the contemplated work to cover Kentucky with Rail Roads for the privilege of passing through the State. If the Road goes to the Ohio River, some one point on that river should be selected. This will command nearly all the trade, that would be commanded by the three that are proposed. If either Cincinnati or Louisville should be selected, it will insure as much Commerce as the Road will probably be able to convey. And as Ohio has contributed almost nothing to the stock of the company, it would be much the wiser course to carry the Road

directly to Louisville, leaving Cincinnati out of the scheme altogether. If a Louisville branch is the only consideration upon which we are to obtain the privilege of passing through Kentucky, there is another alternative, preferable, in my opinion, even to this. It is to make the mouth of the Nolichucky, the Western termination of the Road, which according to the estimates, would reduce the cost of it from twelve to five millions of dollars, while it would still yield to North Carolina, Tennessee and South Carolina, a very large portion of the advantages that would result from the completion of the original scheme. The work to this extent could be almost completed with the stock already subscribed, and would be clearly within the means of these three States. A flourishing town would spring up at the Western termination of the Road, wherever that might be, whether at Nolichucky, Asheville, or even at the North-western border of our own State, which would attract to the Road a great portion of the Western trade, probably as much as it could convey.

I have suggested these views, because I believe that South Carolina will be restrained not less by a sense of self respect, than by a just regard for her own interest, from subscribing any thing to the "Louisville, Cincinnati and Charleston Rail Road Company," so long as its Charter shall contain the highly objectionable provisions to which I have alluded.

As it now seems evident that the principal part of the funds by which the Road is to be constructed, will have to be contributed by South Carolina, we must take care that the control of these funds shall not pass into other hands, and that the scale of operations be not disproportioned to the means of effecting them. And it is gratifying to perceive that so much can be done by North Carolina, Tennessee and South Carolina alone, even if it should be found necessary to act without the concurrence or co-operation of Ohio or Kentucky.

A scheme has been suggested, as you are doubtless aware, of conferring upon this Rail Road Company the privilege of banking. I have given to this project the most deliberate and anxious consideration, and have been brought to a very decided conviction, that it would be a measure pregnant with danger to our general system of credit and currency, and in all respects inexpedient. Our banking system has already been carried to the extreme limit which prudence and sound policy will justify, and we have but too many indications that our local currency, in common with the general currency of the United States, is upon the eve of that fatal career of depreciation, of which we had such melancholy experience during, and for some time after, the late war with Great Britain. Nor are the reasons for indulging these gloomy apprehensions at all weakened by the common allegation, that more good paper is offered to the existing Banks than they are able to discount. In 1816 when the country was most literally flooded with a redundant currency, this allegation was habitually made, and with as much truth as it is now.

Of the spirit of banking and borrowing, it may be said with more philosophy than poetry, that it is a monster which derives its increase of appetite from what it feeds on. The very act of throwing out excessive issues of paper, by depreciating the value of current money, creates, to the full extent of that depreciation, an increased desire and necessity for borrowing, because an increased quantity of money becomes necessary to effect the exchanges of society. The constant and progressive appreciation of all kinds of property which is but another form of exchanging a depreciated currency—since money is an universal stimulus to the spirit of enterprise, and tends to be his interest to borrow money and purchase property, because money will be less valuable and more easily obtained when the day of payment comes, than it was when he obtained the loan; the price of property, in the meantime, rising in proportion. The trading community, and indeed almost all classes of society, become intoxicated with the spirit of gambling speculation in stocks, in land and in every thing else, and continue to move on under this high pressure system, until awakened from their delirium by explosion, when they may be deemed singularly fortunate who escape unhurt from the general wreck. No state of things can be more unfavorable to the regular pursuits of honest industry, more corrupting to the public morals, or finally more destructive to the prosperity of an agricultural community. In the final catastrophe in which it must inevitably terminate, property becomes depreciated, money becomes more difficult to obtain, and in this state of things, all those who are indebted to the banks, have to sacrifice their property to discharge their obligations. And in the scenes of general ruin which follows, the banks alone flourish amidst the distress and bankruptcy of the great body of the people. It is devoutly to be hoped that the spirit of stock-jobbing, will not spread from New York and Albany, to Charleston and Columbia; and above all, that the system of mutual help, which has so produced such fearful and devastating results in other quarters, will never pollute the sanctuary of our legislation.

A very strong, if not a conclusive reason against giving banking privileges to the Rail Road Company, will not be found in the fact, that the capital of the bank of the State of South Carolina, will be increased during the ensuing year. To the extent of something like a million and a half of dollars, by the sum which will be deposited in that bank from the Treasury of the United States. This will enable it to increase its discount operations at least to the same extent, and will certainly supply all the additional wants of the community for bank accommodations, beyond what can be supplied by the existing bank capital. And as the profits of the Bank of the State redound to the benefit of the people at large, it would be very unwise to diminish these profits at the present conjuncture, by the grant of banking privileges to a company of individual stockholders; even if this could be safely done upon sound banking principles.

It is not easy to perceive upon what plan this rail road company can be transformed into a banking corporation consistently with its original purpose. It is certain that the same capital cannot perform two incompatible functions. It cannot be paid out and expended in constructing the rail road, and at the same time remain in the bank to redeem its paper. Such an attempt as this would inevitably end in a mere paper bank, as it would be utterly impossible that it could redeem its bills on demand. If to obviate this objection it should be proposed to have a separate and distinct capital to sustain the operation of the bank, the plan would still be liable to very strong objections. It would be substantially forming the same body of persons into two distinct corporations, essentially different in their character and objects, and requiring entirely different qualifications for the conduct of their affairs.

It is not reasonable to suppose that this confusion of purposes and complication of duties, would facilitate or expedite the completion of the undertaking for which the company was organized. On the contrary, there is too much ground to apprehend that this noble enterprise would be degraded into a mere concern of speculation and stock-jobbing. When it is recollected that the Charter of this Company positively prohibits it from all banking operations, it is to be presumed that some very cogent reasons will be required to induce you to repeal that prohibition. The only reason entitled to consideration, which has been suggested, is the effect of this banking privilege in securing the requisite subscription of stock. But it is now apparent, that as far as we can see our way clear for making the subscription which the legislature will doubtless authorize to be made in the name of the State, at the proper time.

I will request finally on this subject, that the constitution of the directors, as the charter now stands, would be a conclusive objection, on the part of the South Carolina stockholders, to the granting

banking privileges to the Corporation, under its present organization. It has been at all times so justly sensible of the importance of having uniform and equal laws administered by enlightened and impartial judges, that the organization of the Judiciary system has occupied a due share of their attention. It seems, however, that something yet remains to be done to complete that organization. The constitution of the Court of Appeals by the act of 1835, has rendered what was before merely expedient almost a matter of necessity—an act providential that the Sessions of that Court shall be held exclusively at Columbia, for the trial of Appeals from all parts of the State.

I am also of the opinion that the great improvement which has been made in the intelligence of the people, since the abolition of the County Courts, renders it highly expedient to re-establish that system now, though it may then have been wise to abolish it. In England and in all the older States of this Union, it is a justly popular as it is extensively useful, having the high merit of administering justice without delay, "without money and without price."

There is no District in the State in which an enlightened body of Magistrates could be obtained, simply qualified to superintend the general police of the District, and exercise a civil and criminal jurisdiction limited to certain amounts and to a certain class of offences. By transferring the powers now exercised by the Ordinaries to these Courts, the fees of office would yield so liberal a compensation, that persons of the very best qualifications could be obtained to act as Clerks. Though the Justices would receive no compensation, but the consciousness of "rendering the State some service, patriotic citizens of the highest standing, would I doubt not, very cheerfully perform their several parts of duty in these posts of honor and usefulness. And in the course of a few years, the Circuit Courts would be relieved of so large a portion of the business they now have to perform, that the number of the judges might be gradually diminished to a considerable extent, thus promoting a just and wise economy, without impairing, in the slightest degree, the efficiency of the general system, or the character of the court of final jurisdiction.

The reorganization of the Militia, is in the progress of realizing all the benefits which were anticipated from it. As schools of instruction for the officers, the Brigades' Encampments have been found to be of incalculable value. I am thoroughly satisfied, from my observation and experience, that without these, the whole system of Militia matters drifts, would be worse than unprofitable. They would be mere hanging packets, calculated to bring all Militia exercises into contempt and ridicule, and all Militia Officers into disrespect. When the Colonels of Regiments and Captains of Companies are thoroughly competent to drill their respective commands, there is but little difficulty in preparing the body of the Militia to defend their rights. With such officers, I believe the most inexperienced troops—mean Militia, not enlisted troops—could be well prepared to take the field in six weeks. Every thing depends upon the Officers, and most upon the Captains of Companies, on whom it devolves to teach those elementary principles and movements by which all the combinations of Military tactics are effected on the field of battle.

But it is absolutely essential to the utility of a drill, that it be conducted or superintended by a competent officer. According to the true theory and original design of the office of Adjutant and Inspector General, that officer should be the chief drill officer of the State. He should be required to attend the muster of every regiment in the State once a year, and conduct the drill himself as the instructor. He should also be required to attend every Brigade encampment, and to drill the officers, in the same character, and be vested with the necessary authority, without reference to his nominal rank.

As a compensation for these laborious, expensive and most useful services, his salary should be raised to at least twenty five hundred dollars. This would enable you to command the services of a young man of military pride, thoroughly master of his duties, and who would devote his whole time to their performance. Such a man would be worth more to the State, than any officer in it, civil or military; whereas an incompetent officer, without the proper energy and military spirit, would be a positive nuisance.

The improvement of our Militia, has been so much retarded, heretofore, by the want of a suitable and uniform system of tactics and regulations, and by the want of organization. The efforts of many of the regiments cannot procure books of any kind, and all the copies of "Infantry Tactics," provided by the authority of your predecessors, are exhausted. The United States have recently adopted a new system of Infantry Tactics—embracing all the recent improvements of the French, prepared by Major General Boscawen, to whom the country is greatly indebted for the means of acquiring a scientific knowledge of the military art. This new system is a very decided improvement upon any thing previously published, and Major General Mearns has prepared from it, a very judicious abstract, to which he has added Artillery and Cavalry Tactics and the Army Regulations, embracing the whole in the compass of a small and cheap volume. As we are under a constitutional obligation to conform to the system of the United States, and as the system they have now adopted, is likely to be permanent, I have purchased five hundred copies of this work out of the appropriation of the last session, and I recommend that a sum be appropriated sufficient to supply all the officers of the State with one copy. The cost will be very inconsiderable, in comparison with the object, as this small volume, consisting only fifty cents, is in itself a very valuable military library.

Out of the sum appropriated for that object, I have purchased a suitable site and caused an Arsenal to be erected, in this place, capable of containing 8000 stand of arms. When the Magazines and Barracks are completed, the whole will be as creditable to the liberality and foresight of the Legislature, as it will be conducive to the public safety.

I feel it to be my duty to bring to your view some measures for improving the condition, elevating the character, and extending the usefulness of the Chief Executive Department of this Government, which I have been constrained, by very obvious considerations from suggesting at an earlier period. There is no reform in the practical operation of our system of confederated Sovereign communities, and in the state of public opinion connected with it, more important to the security of our civil institutions, than that which shall restore the lost equilibrium of that system, by raising up the State Governments from that low point of depression to which they have been carried by the adverse political currents of the last twenty years; to their primitive dignity and power. The steady progress of federal encroachment, while undermining and carrying away the constitutional barriers of our safety, has given a false direction to the public opinion of our people & the ambition of our Statesmen. The latter must be thoroughly corrected, before the former can be successfully resisted. It will be in vain that we struggle to maintain the great conservative doctrines of the South, while the Chief Magistrate of this grand Southern States—the representatives of their Sovereign dignity—shall descend from their lofty elevation, prostrate the insignia of their offices at the very footstool of the Federal Executive, craving at his hands the miserable honor of a mission to the Indian tribes, or a permanent Agency among them, and moving off upon this degrading errand, with out encountering the scornful and indignant hiss of the people, whose sovereign honor they have betrayed and tarnished.

With a view of counteracting these degrading tendencies, as well as for increasing the respectability and usefulness of his office in other respects, I recommend

that the salary of the Governor be increased to five thousand dollars—that he be required to reside, habitually, at the seat of Government, and that a suitable house be erected for his accommodation. This is almost the only State in the Union, where a mansion corresponding with the dignity of the office, is not provided for the residence of the Chief Magistrate, and where that officer is not required to reside permanently at the seat of Government.

In practice, the Chief Executive Department of this State is now either the private residence of the Governor, often in one extremity of the State, or a sort of travelling head quarters. In this state of things, the people are exposed to great inconvenience, and the unfortunate often fail to receive the benefit which they would otherwise derive from his exercise of the prerogative of mercy, by the difficulty of ascertaining or of reaching the place of his residence for the time being.

I also suggest as a measure of obvious expediency, the repeal or modification of provision of the Constitution, which renders the Chief Magistrate ineligible, for four years, after serving one term. As he is almost entirely destitute of patronage of any kind, there is no conceivable reason why the people should impose this jealous restriction upon themselves, by which it must frequently happen that they will be deprived of services which they would be very anxious to retain, to the serious detriment of the public service. As the Constitution now stands, no system of policy, depending upon the Chief Magistrate and requiring a series of years for its execution, can be successfully accomplished.

I have received from the Governors of several of our confederate States, resolutions on the subject of the proceedings of certain abolition societies organized in the non-slave-holding States, and I now lay these resolutions before you, in compliance with the request by which they were accompanied. Most of them, as you will perceive, are from the Legislatures of slave-holding States, and are characterized by a patriotic spirit, an enlightened comprehension of our common rights, and a firm determination to defend them, worthy of the high sources whence they emanate.

I am constrained however, to express my sincere regret, that notwithstanding the solemn appeal by South Carolina and other slave-holding States, to the States in which those abolition Societies were formed, invoking them to interpose their legislative power for the purpose of suppressing seditious machinations against our peace and safety, which were openly carried on under the protection of their laws and sovereign jurisdiction—but three of these States have even condescended to notice this appeal, and not one of them has taken any step towards suppressing the injurious practices of which we so justly complained.

Considering the fraternal spirit in which our application was conceived, and the respectful language in which it was expressed, I cannot but regard the entire neglect with which it has been thus generally treated, as a silent but significant indication of the alarming state of public opinion which already prevails, amongst the great body of the people in the non-slave-holding States, and a solemn admonition to the slave-holding States to guard their institutions with sleepless vigilance, and be at all times prepared to defend them, by all the means which the emergency may demand. After what has occurred, it will not comport with the dignity of South Carolina, as a Sovereign State deeply aggrieved by the practices to which I have referred, to hold any further correspondence on the subject, with those States that have treated our complaints with this total neglect and silent indifference.

It is now time that discussion should cease. "The argument is exhausted," and though we may not be called upon to "stand by our arm," we should be prepared to adopt efficient and decisive measures for our own security, as soon as it shall be ascertained that the combined guarantees of international law and of our constitutional compact of Union, are insufficient to restrain the ferocious spirit of fanatical interference, which is now waging war against our institutions. It is no longer to be endured that the federal compact, which should be a covenant of eternal peace among the States, and a shield to protect their respective institutions from every species of mutual intermeddling, should be used as a constant pretext for this conspiracy against our own lives, property, and our character. We must be permitted not only to enjoy our rights of property, but to enjoy them in peace and security. It is a gross outrage for one community to attempt to overthrow the institutions of another, even by discussion. If committed by a foreign State, it is a just cause of war; if by a confederated State, it is a just cause of separation. In either case it is a simple question of expediency to determine when the evil has assumed a character to warrant a resort to the ultimate remedy.

Such is the rapid progress of the spirit of abolition in the non-slave holding States, that no human sagacity can tell how soon that period may arrive. We fatally deceive ourselves, if we suppose its fury has abated. On the contrary it appears from the annual report of the American Anti-Slavery Society which assembled at New York in May last, that the Abolition Societies had swelled in number from 200 to 523, since the report

of the preceding year. The Society triumphantly boasts of its progress, declares its reliance on those whom it denominates the "bone and muscle of Society," the "hard-headed, clear-headed free laborers and mechanics of the North," and that the opposition to the abolitionists is confined to "the head and tail of Society; purse proud aristocrats, and pennyless profligates." It then proceeds with the inflated zeal, but without the piety of Peter the Hermit, to rally its partisans for a crusade against the slaveholders, by exclaiming: "friends and fellow laborers, the enemy stands openly before us. His foot is on the neck of 4,000,000 of our fellow men. He asserts the right to maintain his position and increase the number of his victims. He begs no longer favors from the circumstances of the case; he boldly avows slavery to be the best condition of the laborer. Such is the enemy we find rampant amidst our free institutions."

In this strain of insolent assumption the American Anti-Slavery Society continues through some fifty pages to denounce the slaveholders, for the obvious and avowed purpose of holding them up to the abhorrence of the Northern people, confidently affirming that the "geography of the land will unite in this question, and identify their interests with those of the slave." That they will "throw sweet political and sectarian predilections, and stand forth on the broad ground of human rights. And that "from this class the cause will always gain, and never lose, till slave-holding shall be synonymous with rascality in public opinion and in fact."

I have long believed that while a large portion of the men of intelligence and property in the North, were opposed to every species of interference with the institutions of the slave-holding States, the great body of the people, headed by that class of desperate politicians, who hold that no citizen sacred, would finally rally under the banners of abolitionists and carry every thing before them in the elections. When this crisis shall arrive, those who now claim to Congress the constitutional power to emancipate the slaves in the District of Columbia, will as boldly claim the same power to regard to the States. Their whole course demonstrates that this is the consummation at which they are aiming. It is neither calculated nor designed to convert the slaveholders, but to unite the people of the non-slave holding States in favor of the emancipation of our slaves. And it is evident that this would not conduce, in any respect, to the accomplishment of their object, unless by a resort to legislative power or physical force.

Such being the apparent tendency and design of these discussions and proceedings, it devolves upon you to decide what measures shall be adopted to arrest them. In many of the popular meetings at the South, assembled to consider the subject of the incendiary proceedings of the Abolitionists, the States in which those proceedings were carried on, were called upon to suppress them by penal enactments, and it was declared that if this redress should be refused it would be expedient for the slave holding States to meet in Convention to consider the means of protecting themselves. In alluding to these proceedings at the South, the American Anti-Slavery Society exultingly declares that no legislative body in the non-slave holding States, and but one popular meeting, had dared to propose penal enactments against the abolitionists, and yet that the slave holding States shrunk from the execution of their threatened call of a Convention. This the Society sets forth as one of its signs of encouragement; and adds, "the threat is grown stale, and its terror can never be restored." The intention is finally declared of urging upon Congress the immediate abolition of slavery in the District of Columbia, and the hope is expressed that the tables of that body will "grow with a tenfold weight of petitions."

It is quite apparent that as long as the halls of Congress shall be open to the discussion of this question, we can have neither peace nor security, and it is still more apparent, that whenever the federal legislature shall usurp the power of emancipating the slaves in the District of Columbia, the only security of the Southern States will consist in promptly and peaceably withdrawing from the Union. With a view, therefore, of warning the people of the North of the consequences of such an usurpation, that they may be restrained from longer agitating a subject so deeply involving our very existence as a people, I suggest to you the expediency of making a solemn legislative declaration, that Congress has no right to abolish slavery in the District of Columbia, and is under no constitutional obligation to receive the petitions of the people of any of the States, praying for such abolition; and that whenever Congress shall emancipate the slaves in the said District, or in any of the Territories of the United States, South Carolina, in common with the other slave holding States, will be absolved from all constitutional or moral obligation to remain any longer in the Union, and may rightfully and peaceably withdraw from it.

While South Carolina is thus indignantly repelling all foreign attempts to violate the sanctuary and endanger the existence of her domestic institutions, it becomes her, in a peculiar manner, to abstain from every sort of interference with the domestic concerns or domestic controversies of all other States, foreign or confederate. The doctrine of non-interference, is one of the most important in the code of international law, and there are no communities on earth who should hold it so sacred as the slave holding states of this Union. If by their example, in giving countenance to the unlawful enter-