the very instant when the Federal Troasu- rated States. It would be a reproach to of this State, an Act to amend their Charpy is said to require to be replenished, it the character of our institutions, if claums | ters, with a view to prevent the future suswould seem like wantonly seeking a prein any point of view, it can be regarded in no other light than that of a distribution of the public revenue. In one year, duging a previous administration, the proceeds of the sales of public lands, produced a revenue of upward of twenty millionsa maximum to which, in more prosperous times, it would possibly again attain. Its average may even now be estimated at five millions. which, if annually withdrawn from the Treasury, leaves that deficiency at least to be supplied by increased duties on imports. That the government can exercise the power of taxation to raise revenue for distribution, is a principle I presume, which this State is not prepared to admit. Under the operation of the various preemption laws, and the frequent rens in the price of public lands, those very States which were the largest contributors to the "Public Domaiu" or whose "blood and treasure" were most lavishly expended to acquire it, have at the same time been subjected to the greatest sacrifiees, in the emigration of their citizens, and in the diminished value of their products, reduced by an unequal competition with the more abundant and teeming resources of those new and fertile regions, which their enterprise and industry have been seduced and abstracted to cultivate, to the waste and abandonment of their own. It was enough to have borne all this with patriotic devotion to the interests of our common country; but when it is proposed to divert that domain from the sacred purpo ses for which it was ceded, to afford a pre text for additional burdens and taxation on one class of industry, to give protection and bounty to another, it assumes a character of the highest injustice, as well as the most palpable infraction of constitutional princi

But the most dangerous, as well as the most humiliating effect of this measure, is the condition of dependency, to which it seduces the States, upon the bounty and benefaction of the government-existing as they would, in the relation of subsidia ries upon the profits of their own estatereceiving its charity, doled out from their own wealth, and subdued to a state of homage, servility, and compliance, by bribes, stolen and lavished from their own Treasury. Is it not to be regaded as the first step to the assumption of State debts -designed to consummate a consolidation of interests, obliterating all distinctions of sovereignty, or pride of independence, and sending to concentrate Empire and Dominion over the rights of the States, and the liberties of the people?

I trust, however, that the spirit of reform, which has been so powerfully evoked by the errors of the late session of Congresand so decidedly manifested in the re-uliof the late popular elections throughout the Union, will prevent the spoils and plunder of this system, from ever soiling the Treasury, or contaminating the coffers of a single State in the Union. Let us pause, at least for a moment, in the hope, that the correct principles and high motives of an unbought, unterrified, and incorruptible Democracy, are operating their sure and the only foundation of an elevated patriotsalutary influences on the couusels and measures of Government.

Among other Resolutions; which, as the official communication of a sister State, it is my duty to submit to a co-ordinate branch of the government of this, is one proposing to alter the Constitution, to limit the eligibility of the Federal Executive to one term of office, The experience of this State furnishes no reasons for such an innovation upon the long established usage and principles of the government. I cannot conceive that it can be productive of any other effects than to increase the usually over-wrought excitement of the Presi dential cauvass-to render its recurrence more frequent-to disconnect the relationof sympathy between the Executive and his constituents-to direst him of the mospowerful motives to regard the will, or to merit the approbation of the people-and to make him the instrument of a party, to minister to its pursoses, and to pander to its lust of domination.

In all the history of our government, the influence of the Executive power, to modify its action on the reserved rights of the States, has been of a conservative, rath. than of an aggressive character. More than twice has it been interposed to rescue the people from the domination and abuses of a National Bank. It was in defence of our rights and our in-tautions. that the determination of a late Executive to refuse his constitutional sanction to the abolition of slavery in any of its forms, was so fearlessly avowed; and this State, I presume, can have no interest or motive to remove the few saintary checks and embarrasments to the so often unjust and inconsiderable legislation of a majority in Congress, as to induce it to war against the dignity and prerogatives of a department, the weakest and most conservative, perhaps in the government.

I also submit for the serious cousiderntion of the Legislature, a copy of the communication of the Legislature, a copy of the communication of the Governor of Virginia, on the proceedings of the General Assembly of that State, on the subject of her late controversy with New York; and Reports and Resolutions from the State of Alabama, responding to the views and declarations so solemnly announced by this State, on questions deeply involving the right of property, and the security of the domestic institutions of the South .-Bound by every consideration of duty, of interest, of honor, and of equity, to repel so flagrant a disregard of the rights of a sister State, we should always be ready and prompt to redeem the pledge of our alliance to a cause with which our interests are so intimately identified. Relations of amire cannot be preserved even between separate nations, in which the rights of property are not regarded as they exist, under the respective laws of each; much less can sovereign States be permanently allied in a bond of Union, under the same laws, government, and constitution, where fugitives from the justice, plunderers of the property, and violators of the laws, of one, find refuge and impunity under the sanction of the constituted authorities of the other .-No wrong is more readily resented by na-

which are recognized and reciprocated by the comity and justice of all civilized nations, should be scornfully refused and conternued by States federated under the same laws and constitution. If the obligations of the constitution which require one State to deliver, on demand, fugitives from the justice of another, are to be disregarded .our institutions assailed, -- the plunderers of our property encouraged and protected, -then must we regard the perpetrator of these aggressions, "no matter by whom committed," as a foe to our rights, and an enemy to our peace. Whether the wrong in this case has been done to Virginia or South Carolina, the principle is the same, the interest involved common to both, and the responsibility of protecting them should equally devolve on every State in the Union in which justice exercises dominion, or similar institutions exist. Persist ing in such a course of unprovoked hostility to the interests and institutions of the South, New York can only be regarded in the light of any other aggressing powerin peace friends, but enemies in war. The adoption, in all such instances, of a similar course of vigilance to that which the State of Virginia has instituted, would perhaps be a wise and necessary precaution, to prevent the recurrence of similar aggressions upon the property and rights of our own citizens and institutions. We ought, upou every principle of equity and of icterest, to make common cause with any State whose rights and institutious are thus wantonly violated and assailed.

The position which it may become this State to assume, on any of the important questions presented, would seem to suggest the importance and necessity of cultivating and improving her means of safety and defence. It would be a mere mockery to vaunt of rights, liberty, or sovereignty. without the spirit, ability, or resources to defend them. It would be better at once to endure threatened or impending ills, unaggravated by opposition, than by unmeaning denunciations, and impotent exhibi tiens of resistance, to provoke and increase their bitterness. Prohibited, both by the character of our institutions, and the restrictions of the constitution, from resorting to any other means of cultivating our militia, it should be cherished to the highest state of perfection, and with a pride and assiduity to make it the most efficient, as it is the only means of defending the rights. the honor, and sovereignty of the State. The improvement in which it so rapidly progressed, under the influence of the late Brigade Eucampments, offers the highest encouragements to the co-tinuance of your patronage, as well as the happiest illustration of the beneficial effects of the mode in which it has hitherto been confer-Assembled in these Normal Schools of drill and tuition, where a parriotic emulation was excited-where knowledge was imparted and received, under the criticism of the most improved and accomplished officers-where such favorable opportunities were afforded for discriminating the qualifications, both of the soldier and the citizen -and where that martial pride and feeling was acquired, which is the best, perhaps ism, combining so many motives, stimu lants advantages and incentives-it is not surprising that from its results I should be enabled to give you the gratifying assurance that our militia now comprises in its organization, a class of officers whose knowledge and accomplishments would do credit to any age, or service, or country. With such inducements before us. it is deeply to be regretted, that an experiment productive of so many auvantages and improvements, without any detracting consequences what ever, should have been prematurely aban-

Already are the effects of that abandonment visible, in the waning enthusiasm of the service, and the resignation of some of our ablest officers, from a con-cientious regret and despondency, for the future usefulness and efficiency of their exertions .-Such indications as these should be regarded as a solemn invocation to restore a system from which the State has derived such important benefits. Confined per haps as those encompments should be, to commissioned officers, it is not to be presumed that any officer would be so insensible to the honorable pride of his vocation. or to the confidence which the State "reposes in his courage and fidelity," as to regret the privations and inconveniences of five days camp service, to learn the art of refending his country and its institutions. With some slight and salutary modifications of the law by which they were regulated, it is confidently hoped that they may be made the schools of correct morals, as well as of patriotism and military discipline. With the alteration or addition of such provisious as may promote this desirable object, the bill under the consideration of the Legislature, at the last session, in December, and revised by the Adjutant General, with the accompanying report, is respectfully referred to your considera-

Amid all the portents of the time-the peril that every where surrounds our domestic institutions-the emergency that may call upon us to vindicate our rights and principles-I cannot but again and most seriously invoke your attention, to that organization of our military resources and defences, without a due regard to which no State action can be efficient, and the assertion of sovereignty itself be but a bye word and a reproach, without diguity, and without effect.

The contingency of a National War. (remote and distant as I trust it still is.) cannot be overlooked, among the numerous other inducements to improve our military resources. The most exposed. per hap, as we are, to its ravages, from the neglected condition of our coast-the greatest sufferers, from the burdens which its expenses are destined to impose-no matter how provoked or originating, whether by the ambition of one power, or the offiious border aggressions of the other,-there can be I am sure, no selfish or ignoble considerations, that would ever restrain the most generous contributions upon the part of this State, of treasure or of arms, to save the national honor from tarnish or

disgrace. By an Act of the Legislature, in De-

pension of specie payments. The Bank of the State, the South Western Rail-Road Bank, the Union Bank, and the Planters and Mechanics' Bank, with a commendable desire to conform to the wishes and objects of the State, have, in good faith, and sincerity, accepted its provisions.

In executing the instructions of the Legslature, in that spirit of mildness and for bearance in which I am sure they were conceived, I deemed it proper to overlook the delay of a few weeks, after the precise period fixed by law, for the acceptance of the two latter institutions; apprised as I was, that it had arisen from unavoidable circumstances, and not from a wilful neglect or refusal to comply with the requisitions of the law.

It is due to the high character which these institutions have hitherto sustained, and I am sure reflects no injustice upon the motives of the Legislature, to state, that the object of this enactment was to prevent anticipated evils, rather than to punish past or existing abuses. The Federal Government having, in the exercise of a wise and sound policy, ahandoned that control over the currency which it had hitherto usurped, the necessity of a stricter supervision over the monetary affairs of this State, had become more obligatory upon those, to whom the people have entrusted the power of regulating them.

In such a state of things, it could not be deemed an unnecessary or officious act of caution, upon the part of this State, if she resorted to all the ordinary and legitimate means of reudering her own currency. sound, safe, adequate, and stable. The exercise of these means she has hitherto delegated, in a great (and perhaps an im prudent) extent, to ber Bauking institutions. by the extraordinary privileges and immunities with which she has endowed them. If the trust has heretofore been faithfulls and ably executed, the merit is to be ascribed to the virtue and fidelity of the agents. rather than to the want of any power or opportunity, to abuse it; or to any proviions in the laws, to restrain or punish it .-Under these circumstances, this State was perhaps necessarily forced to entertained he question, whether she had irrepocably parted with all power to regulate her own currency, ordelegated that power, with out reverse, restraint, control, or supervi sion, on her part, for the term of years for which she has chartered her moned instiutious. If in fact there does exist this imperium in imperio, for the exercise of so important a power, the people of this State might well ask, upon what constitutional principle a suvereign right, which can only be exercised legitimately by their own Government, has been delegated to agents, politically irresponsible to them. In such an issue, it is not a very remote or fanciful anticipation, that if so important a right were indeed improvidently lost in law, it would but too probably, in the absence of any other resort be reclaimed by revolution.

The wisdom and propriety of retaining some checks and guards, similar to those which have been proposed, upon the exraordinary privileges with which this State has endowed her chartered institu tions, is I presume universally admitted, in reference to those hereafter, to be chartered. It will readily however necur to every reflecting mind, that a second legislation in this respect, could remedy

none of the existing evils, The Banking Capital of the State is more than equal to its exigencies and re-quirements, and the most of those corpoations in which it has been vested, have many years to complete the term for which they were chartered. Such a discrimination with regard to future and existing institutions, would therefore be as inefficient as it would be invidious.

If I have a just and proper conception If the objects of the proposed amendment, was with these views and conceptions, that the State thought proper to require these salutary concessions from her chartered institutions, to her sovereign authority and supervision. Deriving extraordinary privileges and immunities from her liberali y, she has pre-eminent and irresistible claims upon their confidence and gratitude, Trusted for a long course of years, with the exercise of rights and powers and franchises sovereign in their nature, and which can appertain to none of her citizens individually, she may well urge a moral, as well as political right, to be trusted in turn. with a discretion, which she cannot exercise for her own interest without promoting theirs. That she has generously sus ained them in all past misfortunes and difficulties, is the highert evidence of her future kindness and liberality; and should be the last pretext invoked. to sustain eith er present or future acts of contumacy.-And while the interests of her civizens are so intimately connected with their stability and success, the restraining influence of a just and enlightened popular feeling, will be ever ready to interpose, to prevent the

capricious exercise of legislative authority. To the high considerations, may perhaps be added another, of not less gractical importance: that the salutary influence of State authority would perhaps greatly conduce, in times of extraordinary calami ty, to prevent those controversies and dissensions between the Banks themselves, which were so unhappily exemplified in the history of some of our own institutions, during the disastrous events of the late suspension. That it has already exercised a salutary and judicious influence, may be inferred from the fact, that under the operation of its provisions, the Banks of this State alone, of all the institutions South of the Potomac, have in good faith and reality met engagements or demands for specie.

ithout pretext or evasion. Whatever may have been the motives r necessity which induced to the enactment of this statute, the rejection of its provisions, by some of these institutions, has made it a question of the gravest import. from the discussion and decision of which, this State cannot, without a sacrifice of her dignity and self-respect, shrink, or recede. In this aspect of the question, I felt constrained, by every sense of duty, as well as of allegiance, to execrcise all the authority with which I was entrusted by the Legislature or the Constitution, to enforce the objects of the law through the judicial

with the Attorney General, and Solicitors. I regarded it as the more necessary to do so, as the season of the year at which the Court was held in Charleston, as well as the demands of their respective Circuits, vould necessarily deprive the State of he able service of some, if not of all, of the Solicitors. I had no authority to command heir presence and services in Charleston; and under such circumstances of inconvenence, as those under which they would have been rendered, I could not presume ficially to request them, The arduous luties which would therefore have devolved upon the Attorney General, could no have been performed, even by his indefatigable zeal and industry, but at the expense of every other duty and engagement. And although having every confidence in the talents and attainments which have so descreedly placed him at the head of his profession, yet the grave responsibility of advocating the interests of the people, and the dignity of the State, on a question of such vital importance, I regarded as too serious, (and it was even deemed so by his modest seuse of his own merit,) to be de-

volved on the abilities of a single advocate. From the manner and ability with which their duty has been performed, I have derived the greatest satisfaction; and the penple and the State I trust, lasting and essential benefit, from the arduous and able efforts with which their rights and inter ests have been vindicated, and discussed.

In connection with these remarks, rela tive to the controversy into which this State has been so unfortunately drawn, by he recusancy of some of her Banking in stitutions, it may not be improper for you o direct your views to the consideration of some permanent and prospective mode, of regulating our currency. I assume, of course, that this State can never acquise in the existence of a National Corporation or admit the necessity of subjecting its mo uetary affairs to the arbitrary and exclusive

control of such an institution. Much of the pressue and difficulty under which our community has labored, has risen from the constraint imposed upon he operations of our Banking institutions. by the dissentions, necessarily incident to an inequality of Banking Capital. There. is probably no fact in the economy of Banking operations more incontrovertible. han that the business of a moderate capital. under ordinary circumstances, is usually productive of the highest rules of profits And if, in our experience, their exists any exception to this rule, in favor of the larger Banking institutions, it is because the late policy of the State, in creating so vast disproportion of capital as now exists. has sub-tituted the dominion of the few for the honorable competition of all, and thereby produced strife and discord, where nothing but a generous emulation of profit and usefulness, should prevail.

The greatest pr fis of the Banking system are presumed to be derived from its perations in exchanges. In proportion to he exorbitancy of the rates produced by the deraugement of the currency, and the pressure and difficulty of the times; and a proportion to the advantages of the capital by which an institution may nonopoize that branch of business, so m. , its inerest and tendencies be directed to prornet, and even to increase that state of

lisorder, from which it acquires its gre. gains. It cannot therefore be a wisc policy which supplies to private corporaions, in excessive capital, the power, motives, and inducements to profit by the embarrassments, or to extort from the neces sities and inconveniences, of the people.

I do not mean by these general proposi ions, to imply a censure on the conduct. or illustrate the abuses of any one of our own institutions. The example of one of them, at least, during the late suspension. so far from manifesting such a policy, cannot be too highly commended for its forbearance in the use of its advantages as well as its wisdom and firmness, in maintaining the faith and credit of the South. Still, an undco and dangerous power over our currency, is necessarily incident to the position of financial autocracy which it occupies. And if that power has not been tyrannically or corruptly used to its injury. or the detriment of the public, it has been wing solely to the discreet forbearance of those who wielded it, and not to any safeguards provided by the laws to restrain it.

banking institutions of this State, (were their charters to be renewed,) to some common and moderate standard, less than that of our State institution, would probably prevent the recurrence of future evils arising from this cause. But in the mean time, to strengthen the influence of our State Bank, either by an increase of capital or of immunities, is perhaps at present, the most efficacious, and the only means, of correcting existing ills, which legislative action cannot otherwise reach, without violating the charters which sanction them. Whether this State should participate in banking operations at all, caunut now be regarded as an open or a practical quesiou. But whether she should not use her institution, in the language of a distinguished statesman, to "unbank" the abuses of the system, is a policy that deserves to be well considered. Such a position it is pre-sumed the Bank of this State would occupy, with a most dignified, salutary and iudicious effect. Certain it is, in my estimation, that so long as the State engages and competes in banking operations, her institution should at least exercise a controlling influence on her monetary affairs; or else present the strange political anomaly of the public Treasury, (with which it is practically identified.) and the people's money, subjected to the capricious and selfish domination of private corporations which, however beneficiently exercised heretofore, is always liable to abuse. That its present resources are inadequate to this object. is but too apparent from the inconvenience and restrictions, to which, in all times of great pressure and difficulty, it has been ubjected.

Whether it may not be expedient, in the event of increasing its capital, to associate private interests, which may always exercise a salutary vi ilance on its operations; or, by merging, as their charters expire, the whole banking capital of the State into one system, proportionately controlled the objects of the law through the judicial by the Stockholders and Representatives tribanals of the State. With this view 1 of the people, are measures which I would tions—no injustice can more deeply stain cember last, the duty was devolved on this deemed it proper to engage the services of suggest as worthy of your consideration. the faith, or more essentially impair the department, of proposing for the accep-several of the most efficient gentlemen of Such a system of finance, if uniformly

dified by the influence of a national Subtreasury system, it is believed would furnish the best and soundest currency in the

The Report of the President of the Bank. will apprize you of the profits which have accrued from the transactions of this justitution for the past year; and for a review of the circumstances and embarrassments pervading the community under which they have been realized, you need not be referred to a monitor more faithful than your own experience. Satisfactory as those profits are, considering the character of the times, they have been derived from accommodations as benificent in their effects, as they have been safely and judiciously administered, for the benefit of the institution itself. Without resorting to any of the usurious expedients of the times, its resources have I believe been as faithfully and humanely directed to protect the property of the citizen, as patriotically to subserve the interests of the State. From the aspect of the financial affairs

of the State, as you will find presented in the Comptroller's Report, you will perceive the expediency of exercising the same rigid and judicious economy, in the disbursements of the revenue, which has hitherto prevented the necessity of increased taxation. Additional burdens upon the labor and property of the people, should not be imposed in times of such embarrassment and distress, except for objects of such primary necessity and importance, as affect the permanent weat and safety of the State, or any of the grea: principles of constitu-tional liberty. Improved as our resources are, in comparison to the aspect presented at the last session, the Treasury is still far from having obtained a redundant and overflowing condition. It will be found I trust however, adequate to meet all such necessary exigencies, as cannot be neglected without consequences more ruinous, than the most wasteful and inconsiderate extravagance.

The condition of the public works and improvements effected at so much cost to the State-some of which are still unfinished, others unprofitable, and many falling into decay-will demand your attention, either to abandon, repair, or otherwise dispose of them. The sale or lease of many of them, under the supervision of commissioners appointed in the several communities in which they are located, at a price not less than the value, (as estimated by the Comptroller or Superintendent,) would perhaps be one of the most efficacious and satisfactory modes, of relieving the State from farther embarrassment and expense.

The impracticable condition of the road through Vance's Swamp, and its great importance, as the ordinary, and I believe the only enamel of intercourse with Charles ton, to more than three districts in this State, as well as a large portion of North Carolina, makes it highly desirable that the liberal appropriations already made to improve it, should not be utterly lost, by the ruinous and incomplete condition in which it now remains. More than twenty thousand dollars were expended by the State, in constructing the original road; from whichfit has derived neither benefit. or improvement. Ten thousand dollars was afterwards received by a contractor. for erecting the skeleton of a Bridge which. having been rejected as perishable and dangerous, was abaudoned and removed. Of the last appropriation of twenty thousand dollars, to embank the swamp, the contractor has received the first instalment, and af ter accomplishing a very considerable por tion of the work, at a ruinous expense to himself, has been compelled to abandon it. from the exhaustion of his resources, the influence of recurring freshets, and an ina bility to complete a contract so far exceeding the estimated cost and labor. The ba lance of the appropriation still remains the Treasury; and if diverted from the obect first contemplated by the Legislature will leave the State without a single corresponding benefit, to compensate for all the sacrifices of treasure, which have been so ruinously sustained, by both State and individuals. No portion of the police or statistics of the

State, is presumed to require more radical re-form, than our system of Road working. There is no object upon which so much labor and expense is so unprofitably bestowed, or so unequally contributed, by the different classes of society. Notwithstanding the annual imposi-A reduction of the capitals of the several tions upon the time, labor, and pur-es of our citizens, the condition of our roads is far from manifesting a corresponding degree of improve ment. Nor is it less obvious, that much the greater portion of the burden which the present system devolves upon the people, is sustained almost exclusively, by the agricultural interest. The labor or profits of the capitalist, or of the professions, (no matter how producive or enor mous,) are practically exempt from these assesments, which always recur, and which some times fall with much inconvenient force, upon the interests of the Planter. Nor are the objections arising from principle, less cogent than those which are so amply illustrated, by the experience of its inefficiency and inequality. The sovereign power of taxing, even within a limited discretion, the property and labor of the people as possessed by the Board of Commissioners now established in the several districts of the State, can never be safely or wisely reposed in any body of men, however virtuous or discreet. not elected by the people themselves, and wholly irresponsible to any of the penalties of the law or even to the consequences of impeachment. for any of the ordinary abuses of the trust. The powers entrusted to the Board of Commissioners, are not only of a ministerial, but, to the extent to which they are vested of a legislative character; and if they have not been hitherto abused, to the oppression of the citizen, it is because the forbearance and justice of the officers. have imposed more salutary restraints, than the provisions of the law. If powers of the same character and extent, were conferred on a military, or any other tribunal, accompanied with the self-perpetuating prerogative of electing its own members, the liberties of the people, and the authority of the government, would be rebers, the liberties of the people, and garded as deeply endangered or subverted 1 do not know whether the effects of the present system are most to be deprecated, in the execra-ble condition of most of our high ways, or in the capricious, partial, and oppressive exercise. in numerous instances, of the most despotically and obnoxiously administered power, in the State. If, therefore the present system must necessarily be continued, from a supposed im-practicability of devising any other. I would re commend that the appointment of the members of the several boards, should devolve upon the people, at the same time, and under the same time, and under the same time, having been received into the Treesuryrestrictions, as appertain to the election of their and the anomities which have hitherto constitut-Representatives. It cannot be inspired with a cd the ordinary means of subsistence to the In-Representatives. It cannot be inspired with a spirit and energy for usefulness, let it at least be shorn and divested of its power and tendency to evil. I cannot to impresseely invite your attention to a subject of so much practical people, from a state of uncer destination, and de.

Towerne which it is proposed to abstract, at friendly and intimate, relations of confede- tance of the several Banking Tustitutions the Bar, as assistant counsel, to co-operate adopted by the States, regulated and mo- importance; and while the improvement of vancing commerce, has justly been regarded in all ages of the world, as the evidence of increasing prosperity and civilization, the patrioticem-ulation which I am sure you are always ready to manifest in promoting the public weal, will direct your most sedulous exertion to the improvement of our own.

The revision of our criminal law, in many cesemial particulars, is required by the dictates of policy, as well as of humanity. The effects of time and circumstances, have produced so many modifications in the character of some crimes, that it is difficult, in many instances, either to procure convictions, or enforce punish-Where the penalty exceeds the sense of public justice, or where the feelings of commisseration for the culprit overpower the apprehension of consequences to the safety or into rests of the community, neither the wisdom of the Judiciary, or the firmness of the Executive, can prevent a law from becoming as obso-lete as it is odious. Of this class of cases may perhaps be enumerated some of the lesser grade f forgery, the punishment of which, as a capital offence, has gradually been ameliorated, even by the policy of those nations, from who mercial exigencies, they were originated. Were it even necessary to have exceeded, in this instance, the inflictions of the divine command, in the enumerated offences to be expiated by death, it is hoped that the force of the has gradually diminished, under the influence of time and circumstances.

The trial of slaves for capital offences, in the ordinarily summary mode of process, and in the midst of all those circumstances of excitement in which teeling of partiality or of prejudice are so apt to predominate, must be admitted to be capable of producing those perversions in the administration of justice, from which the rights of humanity and the interests of property should be protected. Within the small circle of neighborhood communities, so easily swayed by passion or feeling, violictive motives to the master, may sometimes conduce to the punishment of the slave, while the influence of a popular favorite, on the other hand, may be successfully exercised to extenuate the crimes of the culprit. The result of my reflection and experience, therefore, induces me to reiterate the recommendation of one of my predecessors, to alter the present mode of trial, to a jury of twelve fre holders, to be assembled at the court house; and the prosecution in all cases (and the deand the proscention in an cases (and the de-fence when practicable) to be conducted by contrast. The convenience of the Parishes, re-mote as some of them are from the seat of jus-tice, may readily be accommodated by special provisions. If, in making this recommendation. I have said little more than to repeat the suggestions of some of my predecessors, it is perhaps for that very reason entitled to your more serious consideration, as the result of the matured and accumulated experience of this department, in all its stages of occupancy and of succession The instances of awakened regret and contrition, on the part of many of these judicial tribunals, invoking the interposition of Executive elemency, to modify or arrest their own hasty and often illegal convictions,

are of frequent and ordinary occurrence. The pre-ent mode of applying the Free School Fund has been productive of no benefit, to correspond with the most munificent of all the benefactions of our State Government, to improve the moral condition of her people. The experiment of many years, not only presents us with the result of a large proportion of our indigent citizens, who have grown up without the encouragement or the opportunity to participate in its advantages, but at the same time forces upon us the conviction, that these opportunities, when enjoyed, have in many instances been ac-companied by a standard of morals, as well as of tuition, a vitia ed, and perhaps more injurous, than the worst con-equences of the most profoundignorance While our grammar schools and literrary seminaries have advanced and mproved in proportion to the increasing inteligence of the age, and to the highe igence of the age, and to the higher require-ments of our colleges, the character of our free schools has depreciated in all the essential requisites of a sound and judicious course of edu-cation. Where are their beneficial effects to be witnessed, in any of their influences on society?
Where are the monuments of their usefulness to be seen, in any new illuminations of science, or improvements in the arts? What signal example can be adduced, to illustrate a solitary instance of moral or intellectual reclamation, for ne expenditure of more than thirty-six thousand doilars annually? Better would it be to leave he mind entirely to nature's influences, and leaven's inspiration, than to pervert the under--tanding and correct the heart, by a depraved and injudicious course of education. The result of so many years' . x; erience, is enough to dissatisfy your hopes, in the present mode of applying the liberality of the State: but not, I trust, to discourage your efforts to improve it. When the State assumes to become the guardian of the education of any portion of her citi-zens, the character of that education should be of a kind not inferior to the most useful and imoro ds mard of tuition. I aminelined to the on viction, that if eleva ed to the condition of the highest order of English Grammar Schools -one to be established in each district, county. or parish-tl e course of instruction being chiefly directed to the acquisition of some of these scientific a tainments so necessary to success in the useful and mechanic arts—and associated with a system of manual labor, to invigorate the body, as well as to enlighten the understand ing-they would attain to a much more permatent and extended sphere of usefulness. But a very necessary arrangement, in my view, to any radical reformation in the system, would be he appointment of a General Superintendent, practical observation and experience. who-e ould furnish many valuable suggestions for your future action, as well as introduce in the meantime, salutary improvements, in the preent mode of instruction. If the expense of a salary should be thought to constitute an objection to this experiment, the amount necessary to compensate such an officer might be beneficially abstracted from the fund itself; and I have no doubt will be found to contribute to the economy, as well as the improving effects aris-ing from the distribution of the balance.

In pursuance of an Act of the Legislature, to arry into effect a treaty, to extinguish the title of the Catawba Indians, to lands in the districts of York and Lancaster, and to purchase other territory for their residence and subsistence, an agent, in whose intelligence and fidelity the greatest confidence is reposed by the Proprietors and Chiefs, was appointed by this department, with such specific instructions, as were deemed best comporting with the wise and benevolent views of the Legislature. By the report of the agent, herewith transmitted, it will be perceived, that the objections arged by the Executive of North Carolina, to the purchase of land in that State, precludes the possibility of gratifying the wish expressed by some of their Chiefs, to unite their declining tribe with the remains of the Cherokee Nation, now resident there. It is hoped, however, that the acquisition of other lands, within the limits of our own domain, may be advantageously made for them; and the faith of the State, as well as the exigency of this now homeless and landless people, require that the necessa appropriation should be made during the present session, to comply with this important condition of the treaty. The Proprietors having on their part conformed to all the stipulations and requirements of the law