

ACTS

AND

RESOLUTIONS



OF THE

GENERAL ASSEMBLY

OF THE

STATE OF SOUTH CAROLINA,

PASSED IN DECEMBER, 1836.

COLUMBIA:

PRINTED BY S. WEIR, STATE PRINTER.
1837.

An Act to establish a company under the name of the Savannah and Charleston Steam Packet Company.

An Act to increase the jurisdiction of the city court of Charleston and for other purposes.

An Act to authorize the formation of the Sumter and Darlington Rail-Road Company.

An Act for the incorporation of the General Mining Company of South Carolina.

An Act requiring magistrates and other officers to return recognizances and other documents to the Court of Sessions.

An Act to incorporate a Bank in the Town of Georgetown.

An Act to alter the name and amend the charter of the Nesbitt Iron Manufacturing Company.

An Act to confer banking privileges on the stockholders of the Louisville, Cincinnati and Charleston Rail Road Company, on certain terms and conditions.

An Act to change the place of holding the courts for Beaufort District, and for building a Court House and Jail at Gillisonville.

An Act to increase the powers of the town council of Camden in relation to taxation, and for other purposes.

An Act to amend the Charter of the Louisville, Cincinnati and Charleston Rail Road Company.

An Act to incorporate the Charleston Hotel Company.

An Act further to provide for the Military organization of this State,

An Act to make appropriations for the year 1836.

An Act to organize the courts in this State; (had been previously ratified.)

The House then returned to the Representatives Hall and adjourned to the fourth Monday in November next, unless sooner convened by authority of law.

JOURNAL

OF THE

GENERAL ASSEMBLY,

OF THE

STATE OF SOUTH CAROLINA,

FOR THE YEAR 1835.

GOVERNOR'S MESSAGE.

On Tuesday at 12 o'clock, His Excellency, Governor M'DUFFIE, communicated to the Legislature, by BEAUFORT T. WATTS, Esq. Executive Secretary, the following Message, which was read by him.

FELLOW-CITIZENS OF THE SENATE, AND OF THE HOUSE OF REPRESENTATIVES :

Before I proceed to discharge the duty of "giving to the General Assembly information of the condition of the State, and recommending to their consideration such measures as I judge necessary and expedient," I must be permitted to congratulate you on the almost unexampled prosperity by which we have been blessed as a people, during the current year, and to ask that you will join me in offering up the united homage of our profound gratitude, to the great Author of the Universe, for this signal manifestation of His favor. Nor should our humble sense of dependence upon Him, be in any degree diminished by the consideration, that under His protecting Providence, this high and palmy state of temporal prosperity has been achieved by the enlightened patriotism and heroic firmness of the people of South Carolina.

Now, that the stormy elements of party contention have passed away, and our fellow-citizens of every denomination, religious and political, are united, as one man, in a firm and unalterable resolution to defend and preserve their rights of property, their peculiar institutions, and the sanctuaries of their domestic firesides, against all foreign interference, by whatever pretended authority, divine or human, it may claim to be sanctified; it may not be unprofitable to recur briefly to some of the subjects involved in our recent controversy with the Federal Government, more with a view to form a just estimate of the sources of our prosperity, and for the regulation of our future conduct, than with any purpose of pronouncing a judgment, either of censure or of praise, upon transactions that are past.

The magnitude of the burthen imposed upon the States, which produce the great staples of exportation, by that compound scheme of taxation and prohibition, artfully denominated the protecting system, may now be estimated, in some sort, by the high state of agricultural and commercial prosperity, which has followed the late adjustment of the federal tariff. By that measure of compromise, the duties upon many articles which we import from the manufacturing nations of Europe, were entirely repealed, upon others, greatly and immediately reduced, and upon the entire class of protected articles, a gradual and progressive reduction was provided, until they shall reach 20 per cent in the year 1842, and after that, the lowest rate that will furnish a revenue sufficient for the wants of the Federal Government, upon an economical scale of administration. Such are, briefly, the terms of that covenant of peace, which restored for a time the long lost harmony of the confederacy, and to which the faith of the contracting parties is solemnly pledged. And although it came short of conceding all that we had a strict right to demand, the benefits we have derived from it are great and manifest.

Every impost upon foreign merchandize operates both as a tax, and as a restriction upon commerce. However, in this two-fold aspect of the subject, we may distribute the burthen of the tax, the burthen of the restriction falls exclusively upon the exports which constitute the exchanges of commerce. Hence the unjust and unequal operation of prohibitive duties on the exporting States, and hence, in a great degree, the enhancement of the price of their great agricultural staple, since the reduction of the duties. The degree in which this measure has contributed to produce that enhancement, will be made manifest by reference to a few statistical facts, disclosed by the official statements of our foreign commerce, made by the Secretary of the Federal Treasury.

During the fiscal year ending the 30th of September, 1834, the importation of merchandize exempted from duty, amounted to the enormous sum of sixty-eight millions of dollars, fifty millions more than in any year previous to the recent enlargements of the list of free articles, and nineteen millions more than the whole amount of Cotton exported from this country during the same year. Of this unexampled amount, about thirty millions came from the manufacturing nations of Europe, which consume our Cotton, thus furnishing the means of a direct, untaxed

and profitable exchange for our invaluable staple, equal to nearly two-thirds of the estimated value of the whole export of that staple. If to this we add six millions for the import of Teas from China, which are now to a great extent virtually exchanged for our Cotton, by means of an intermediate exchange for British manufactures, suitable to the China market, the cause will be at once explained, of that sudden and seemingly unaccountable increase of the foreign demand for our Cotton, which has exerted so propitious an influence upon its price, and by consequence upon the prosperity of the Southern States. The extent of the demand for our raw Cotton, by the manufacturing nations of Europe, is limited only by that of our demand for their manufactures, and how much this has been increased by the recent adjustment of the duties upon foreign imports, is clearly shown by reference to authentic documents. It is in this view of the subject, that duties upon foreign imports impair the value of domestic exports, and that the repeal or reduction of those duties, produces a corresponding enhancement of that value.

A free and unrestricted exchange of our agricultural staples for such foreign productions as we require for consumption in the United States, is the essential basis of the prosperity of the staple growing portion of this confederacy; and whether these foreign productions consist of such articles as are manufactured in this country or not, is a less important consideration, than that they come from the countries that consume our staples, or from others in exchange for those staples. This was the basis of the late compromise with the Federal Government, in which the Southern States consented that the duties on the class of protected articles should be gradually and progressively reduced to the revenue standard, on condition that they should be forthwith repealed or reduced to a nominal rate, on other articles furnishing a beneficial foreign exchange for our exports. And I confidently trust that in the liberal spirit and with the liberal principle of this compromise, when the Congress of 1842, shall come to perform the delicate and responsible task of reducing the Tariff of Federal duties to such a revenue scale, as will barely supply the funds requisite for an economical administration of the Federal Government, it will be found practicable so to reduce and arrange the duties, as to relieve the planting States to a much greater extent, without materially affecting the interests of the manufacturing States, and at the same time, to withdraw from the vaults of the Federal treasury, that prolific source of corruption, a large surplus revenue. And may we not indulge the confident hope that the deplorable experience of the last few years, has convinced every political party, except the one which is immediately interested in its abuse, and even a large portion of this, that the withdrawal of this fund of corruption, is the only earthly means by which the abuses of the Federal Government can possibly be corrected and the Government itself prevented from sinking, like a great republic of antiquity, under the weight of its own corruptions.

Since your last adjournment, the public mind, throughout the slave-holding states, has been intensely, indignantly and justly excited, by the wanton, officious and incendiary proceedings of certain societies and persons in some of the non-slaveholding states, who have been actively employed in attempting to circulate among us, pamphlets, papers and pictorial representations of the most offensive and inflammatory character, and eminently calculated to seduce our slaves from their fidelity, and excite them to insurrection and massacre. These wicked monsters and deluded fanatics, overlooking the numerous objects in their own vicinity, who have a moral, if not a legal claim upon their charitable regard, run abroad, in the expansion of their hypocritical benevolence, muffled up in the saintly mantle of Christian meekness, to fulfil the fiend-like errand of mingling the blood of the master and the slave, to whose fate they are equally indifferent, with the smouldering ruins of our peaceful dwellings. No principle of human action, so utterly baffles all human calculation, as that species of fanatical enthusiasm, which is made of envy and ambition, assuming the guise of religious zeal, and acting upon the known prejudices, religious or political, of an ignorant multitude. Under the influence of this species of voluntary madness, nothing is sacred that stands in the way of its purposes. Like all other religious impostures, it has power to consecrate every act, however atrocious, and every person, however covered with "multiplying villainies," that may promote its diabolical ends, or worship at its infernal altars. By its unholy creed, under itself becomes a labor of love and charity, and the felon renegade, who

flies from the justice of his country, finds not only a refuge, but becomes a sainted minister, in the sanctuary of its temple. No error can be more mischievous, than to underrate the danger of such a principle, and no policy can be more fatal than to neglect it, from a contempt for the supposed insignificance of its agents. The experience of both France and Great Britain fearfully instruct us, from what small and contemptible beginnings, this *ami des noirs* philanthropy may rise to a gigantic power, too mighty to be resisted by all the influence and energy of the government; in the one case, shrouding a wealthy and flourishing island in the blood of its white inhabitants; in the other, literally driving the ministry, by means of an instructed parliament, to perpetrate that act of suicidal legislation, and colonial oppression, the emancipation of slaves in the British West Indies. It may be not unaptly compared to the element of fire, of which, a neglected spark, amongst combustible materials, which a timely stamp of the foot might have extinguished forever, speedily swells into a sweeping torrent of fiery desolation, which no human power can arrest or control. In the opinion of intelligent West India planters, it is because the local authorities, from a sense of false security, neglected to hang up the first of these political missionaries that made their appearance on the British Islands, that they are doomed to barrenness and desertion, and to be the wretched abodes of indolent and profligate blacks, exhibiting, in their squalid poverty, gross immorality and slavish subjection to an iron despotism of British bayonets, the fatal mockery of all the promised blessings of emancipation.

Under these circumstances, and in this critical conjuncture of our affairs, the solemn and responsible duty devolves on the legislature, of "taking care that the republic receive no detriment."

The crime which these foreign incendiaries have committed against the peace of the State, is one of the very highest grade known to human laws. It not only strikes at the very existence of society, but seeks to accomplish the catastrophe, by the most horrible means, celebrating the obsequies of the State in a saturnial carnival of blood and murder, and while brutally violating all the charities of life, and desecrating the very altars of religion, impiously calling upon Heaven to sanction these abominations. It is my deliberate opinion, that the laws of every community should punish this species of interference by death without benefit of clergy, regarding the authors of it as "enemies of the human race." Nothing could be more appropriate than for South-Carolina to set this example in the present crisis, and I trust the Legislature will not adjourn till it discharges this high duty of patriotism.

It cannot be disguised, however, that any laws which may be enacted by the authority of this State, however adequate to punish and repress offences committed within its limits, will be wholly insufficient to meet the exigencies of the present conjuncture. If we go no farther than this, we had as well do nothing.

These outrages against the peace and safety of the State are perpetrated in other communities, which hold and exercise sovereign and exclusive jurisdiction over all persons and things within their territorial limits. It is within these limits, protected from responsibility to our laws by the sovereignty of the States in which they reside, that the authors of all this mischief, securely concoct their schemes, plant their batteries, and hurl their fiery missiles among us, aimed at that mighty magazine of combustible matter, the explosion of which would lay the State in ruins.

It will, therefore, become our imperious duty, recurring to those great principles of international law, which still exist in all their primitive force amongst the sovereign States of this confederacy, to demand of our sovereign associates the condign punishment of those enemies of our peace, who avail themselves of the sanctuaries of their respective jurisdictions, to carry on schemes of incendiary hostility against the institutions, the safety, and the existence of the State. In performing this high duty, to which we are constrained by the great law of self-preservation, let us approach our co-states with all the fraternal mildness which becomes us as members of the same family of confederated republics, and at the same time with that firmness and decision, which becomes a sovereign State, while maintaining her dearest interests and most sacred rights.

For the institution of domestic slavery we hold ourselves responsible only to God, and it is utterly incompatible with the dignity and the safety of the State, to permit

any foreign authority to question our right to maintain it. It may nevertheless be appropriate, as a voluntary token of our respect for the opinions of our confederate brethren, to present some views to their consideration on this subject, calculated to disabuse their minds of false opinions and pernicious prejudices.

No human institution, in my opinion, is more manifestly consistent with the will of God, than domestic slavery, and no one of his ordinances is written in more legible characters than that which consigns the African race to this condition, as more conducive to their own happiness, than any other of which they are susceptible. Whether we consult the sacred Scriptures, or the lights of nature and reason, we shall find these truths as abundantly apparent, as if written with a sunbeam in the heavens. Under both the Jewish and Christian dispensations of our religion, domestic slavery existed with the unequivocal sanction of its prophets, its apostles and finally its great Author. The patriarchs themselves, those chosen instruments of God, were slave-holders. In fact the divine sanction of this institution is so plainly written that "he who runs may read" it, and those over-righteous pretenders and Pharisees, who effect to be scandalized by its existence among us, would do well to inquire how much more nearly they walk in the ways of Godliness, than did Abraham, Isaac and Jacob. That the African negro is destined by Providence to occupy this condition of servile dependence, is not less manifest. It is marked on the face, stamped on the skin, and evinced by the intellectual inferiority and natural improvidence of this race. They have all the qualities that fit them for slaves, and not one of those that would fit them to be freemen. They are utterly unqualified not only for rational freedom, but for self-government of any kind.—They are, in all respects, physical, moral and political, inferior to millions of the human race, who have for consecutive ages, dragged out a wretched existence under a grinding political despotism, and who are doomed to this hopeless condition by the very qualities which unfit them for a better. It is utterly astonishing that any enlightened American, after contemplating all the manifold forms in which even the white race of mankind are doomed to slavery and oppression, should suppose it possible to reclaim the African race from their destiny. The capacity to enjoy freedom is an attribute not to be communicated by human power. It is an endowment of God, and one of the rarest which it has pleased his inscrutable wisdom to bestow upon the nations of the earth. It is conferred as the reward of merit, and only upon those who are qualified to enjoy it. Until the "Ethiopian can change his skin," it will be vain to attempt, by any human power, to make freemen of those whom God has doomed to be slaves, by all their attributes.

Let not, therefore, the misguided and designing intermeddlers who seek to destroy our peace, imagine that they are serving the cause of God by practically arraigning the decrees of his Providence. Indeed it would scarcely excite surprise, if with the impious audacity of those who projected the tower of Babel, they should attempt to scale the battlements of Heaven, and remonstrate with the God of wisdom for having put the mark of Cain and the curse of Ham upon the African race, instead of the European.

If the benevolent friends of the black race would compare the condition of that portion of them which we hold in servitude, with that which still remains in Africa, totally unbled by the lights of civilization or christianity, and groaning under a savage despotism, as utterly destitute of hope as of happiness, they would be able to form some tolerable estimate, of what our blacks have lost by slavery in America, and what they would gain by freedom in Africa. Greatly as their condition has been improved, by their subjection to an enlightened and christian people, (the only mode under heaven by which it could have been accomplished,) they are yet wholly unprepared for any thing like a rational system of self-government. Emancipation would be a positive curse, depriving them of a guardianship essential to their happiness, and they may well say in the language of the Spanish proverb, "save us from our friends and we will take care of our enemies." If emancipated, where would they live and what would be their condition? The idea of their remaining among us is utterly visionary. Amalgamation is abhorrent to every sentiment of nature; and if they remain as a separate caste, whether endowed with equal privileges or not, they will become our masters or we must resume the mastery over them. This state of political amalgamation and conflict, which the Abolitionists

evidently aim to produce, would be the most horrible condition imaginable, and would furnish Dante or Milton with the type for another chapter illustrating the horrors of the infernal regions. The only disposition, therefore, that could be made of our emancipated slaves would be their transportation to Africa, to exterminate the natives or be exterminated by them; contingencies, either of which may well serve to illustrate the wisdom, if not the philanthropy of these superserviceable madmen, who in the name of humanity would desolate the fairest region of the earth and destroy the most perfect system of social and political happiness, that ever has existed.

It is perfectly evident that the destiny of the Negro race is, either the worst possible form of political slavery, or else domestic servitude as it exists in the slaveholding States. The advantage of domestic slavery over the most favorable condition of political slavery, does not admit of a question. It is the obvious interest of the master, not less than his duty, to provide comfortable food and clothing for his slaves; and whatever false and exaggerated stories may be propagated by mercenary travellers, who make a trade of exchanging calumny for hospitality, the peasantry and operatives of no country in the world are better provided for, in these respects, than the slaves of our country. In the single empire of Great Britain, the most free and enlightened nation in Europe, there are more wretched paupers and half starving operatives, than there are Negro slaves in the United States. In all respects, the comforts of our slaves are greatly superior to those of the English operatives, or the Irish and continental peasantry, to say nothing of the millions of paupers crowded together in those loathsome receptacles of starving humanity, the public poor-houses. Besides the hardships of incessant toil, too much almost for human nature to endure, and the sufferings of actual want, driving them almost to despair, these miserable creatures are perpetually annoyed by the most distressing cares for the future condition of themselves and their children.

From this excess of labor, this actual want, and these distressing cares, our slaves are entirely exempted. They habitually labor from two to four hours a day less than the operatives in other countries, and it has been truly remarked, by some writer, that a negro cannot be made to injure himself by excessive labor. It may be safely affirmed that they usually eat as much wholesome and substantial food in one day, as English operatives or Irish peasants eat in two. And as it regards concern for the future, their condition may well be envied even by their masters. There is not upon the face of the earth, any class of people, high or low, so perfectly free from care and anxiety. They know that their masters will provide for them, under all circumstances, and that in the extremity of old age, instead of being driven to beggary or to seek public charity in a poor-house, they will be comfortably accommodated and kindly treated among their relatives and associates. Cato, the elder, has been regarded as a model of Roman virtue, and yet he is said to have sold his superannuated slaves to avoid the expense of maintaining them. The citizens of this State may not aspire to rival the virtue of the Romans, but it may be safely affirmed, that they would doom to execration the master who should imitate the inhuman example of the Roman paragon. The government of our slaves is strictly patriarchal, and produces those mutual feelings of kindness which result from a constant interchange of good offices, and which can only exist in a system of domestic or patriarchal slavery. They are entirely unknown either in a state of political slavery, or in that form of domestic servitude which exists in all other communities.

In a word, our slaves are cheerful, contented and happy, much beyond the general condition of the human race, except where those foreign intruders and fatal ministers of mischief, the emancipationists, like their arch-prototype in the Garden of Eden, and actuated by no less envy, have tempted them to aspire above the condition to which they have been assigned in the order of Providence.

Nor can it be admitted, as some of our own statesmen have affirmed, in a mischievous and misguided spirit of sickly sentimentality, that our system of domestic slavery is a curse to the white population—a moral and political evil, much to be deplored, but incapable of being eradicated. Let the tree be judged by its fruit. More than half a century ago, one of the most enlightened statesmen who ever illustrated the parliamentary annals of Great Britain, looking into political causes,

with an eye of profound philosophy, ascribed the high and indomitable spirit of liberty which distinguished the Southern Colonies, to the existence of domestic slavery; referring to the example of the free states of antiquity as a confirmation of his theory. Since those colonies have become independent States, they have amply sustained the glory of their primitive character. There is no coloring of national vanity in the assertion, which impartial history will ratify, that the principles of rational liberty are not less thoroughly understood, and have been more vigilantly, resolutely and effectively defended against all the encroachments of power, by the slave-holding States, than by any other members of the confederacy. In which of our great political conflicts is it, that they have not been found arrayed against every form of usurpation, and fighting under the flag of liberty? Indeed, it is a fact of historical notoriety, that those great Whig principles of liberty, by which government is restrained within constitutional limits, have had their origin, and for a long time had their only abiding place, in the slave-holding States.

Reason and philosophy can easily explain what experience so clearly testifies. If we look into the elements of which all political communities are composed, it will be found that servitude, in some form, is one of the essential constituents. No community ever has existed without it, and we may confidently assert, none ever will. In the very nature of things there must be classes of persons to discharge all the different offices of society, from the highest to the lowest. Some of those offices are regarded as degrading, though they must and will be performed. Hence those manifold forms of dependent servitude which produce a sense of superiority in the masters or employers, and of inferiority on the part of the servants, where these offices are performed by members of the political community, a dangerous element is obviously introduced into the body politic. Hence the alarming tendency to violate the rights of property by agrarian legislation, which is beginning to be manifest in the older States, where universal suffrage prevails without domestic slavery, a tendency that will increase in the progress of society with the increasing inequality of wealth. No government is worthy of the name that does not protect the rights of property, and no enlightened people will long submit to such a mockery. Hence it is that in older countries, different political orders are established to effect this indispensable object, and it will be fortunate for the non-slave holding States, if they are not, in less than a quarter of a century, driven to the adoption of a similar institution, or to take refuge from robbery and anarchy under a military despotism. But where the menial offices and dependent employments of society are performed by domestic slaves, a class well defined by their color and entirely separated from the political body, the rights of property are perfectly secure, without the establishment of artificial barriers. In a word, the institution of domestic slavery supercedes the necessity of an order of nobility, and all the other appendages of a hereditary system of government. If our slaves were emancipated, and admitted, bleached or unbleached, to an equal participation in our political privileges, what a commentary should we furnish upon the doctrines of the emancipationists, and what a revolting spectacle of republican equality should we exhibit to the mockery of the world! No rational man would consent to live in such a state of society, if he could find a refuge in any other.

Domestic slavery, therefore, instead of being a political evil, is the corner stone of our republican edifice. No patriot who justly estimates our privileges will tolerate the idea of emancipation, at any period, however remote, or on any conditions of pecuniary advantage, however favorable. I would as soon think of opening a negotiation for selling the liberty of the State at once, as for making any stipulations for the ultimate emancipation of our slaves. So deep is my conviction on this subject, that if I were doomed to die immediately after recording these sentiments, I could say in all sincerity and under all the sanctions of christianity and patriotism, "God forbid that my descendants, in the remotest generations, should live in any other than a community having the institution of domestic slavery, as it existed among the patriarchs of the primitive Church and in all the free states of antiquity."

If the Legislature should concur in these general views of this important element of our political and social system, our confederates should be distinctly informed, in any communications we may have occasion to make to them, that in claiming to be exempted from all foreign interference, we can recognize no distinction between ultimate and immediate emancipation.

It becomes necessary, in order to ascertain the extent of our danger, and the measures of precaution necessary to guard against it, that we examine into the real motives and ultimate purposes of the Abolition Societies and their prominent agents. To justify their officious and gratuitous interference in our domestic affairs,—the most insulting and insolent outrage which can be offered to a community—they profess to hold themselves responsible for the pretended sin of our domestic slavery, because, forsooth, they tolerate its existence among us. If they are at all responsible for the sin of slavery, whatever that may be, it is not because they tolerate it now, but because their ancestors were the agents and authors of its original introduction. These ancestors sold ours the slaves and warranted the title, and it would be a much more becoming labor of filial piety for their descendants, to pray for their souls, if they are Protestants, and buy masses to redeem them from purgatory, if they are Catholics, than to assail their warranty and slander their memory by denouncing them as "man-stealers and murderers." But this voluntary and gratuitous assumption of responsibility, in imitation of a recent and high example in our history, but imperfectly conceals a lurking principle of danger, which deserves to be examined and exposed. What is there to make the people of New-York or Massachusetts responsible for slavery in South-Carolina, any more than the people of Great Britain? To assume that the people of those States are responsible for the continuance of this institution, is distinctly to assume that they have a right to abolish it. And whatever enforced disclaimers they may make, their efforts would be worse than unprofitable on any other hypothesis. The folly of attempting to convert the slave-holders to voluntary emancipation, by a course of slander and denunciation, is too great to be ascribed even to fanaticism itself. They do not, indeed, disguise the fact that their principal object is to operate on public opinion in the non-slaveholding States. And to what purpose? They cannot suppose that the opinion of those States, however unanimous, can break the chains of slavery by some moral magic. The whole tenor of their conduct and temper of their discussions, clearly demonstrate that their object is to bring the slave-holding States into universal odium, and the public opinion of the non-slaveholding States to the point of emancipating our slaves by federal legislation, without the consent of their owners. Disguise it as they may, "to this complexion it must come at last."

It is in this aspect of the subject, that it challenges our grave and solemn consideration. It behooves us then, in my opinion, to demand, respectfully, of each and every one of the slave-holding States:

1. A formal and solemn disclaimer, by its Legislature, of the existence of any rightful power, either in such state or the United States, in Congress assembled, to interfere in any manner, whatever, with the institution of domestic slavery in South Carolina.
2. The immediate passage of penal laws by such Legislature, denouncing against the incendiaries of whom we complain, such punishments as will speedily and forever suppress their machinations against our peace and safety. Though the right to emancipate our slaves, by coercive legislation has been very generally disclaimed by popular assemblages in the non-slaveholding States, it is nevertheless important that each of those States should give this disclaimer the authentic and authoritative form of a legislative declaration, to be preserved as a permanent record for our future security. Our right to demand of those States the enactment of laws for the punishment of those enemies of our peace, who avail themselves of the sanctuary of their sovereign jurisdiction to wage a war of extermination against us, is founded on one of the most salutary and conservative principles of international law. Every State is under the most sacred obligations, not only to abstain from all such interference with the institutions of another, as is calculated to disturb its tranquility or endanger its safety; but to prevent its citizens or subjects from such interference, either by inflicting condign punishment itself, or by delivering them up to the justice of the offended community. As between separate and independent nations, the refusal of a State to punish these offensive proceedings against another, by its citizens or subjects, makes the State so refusing an accomplice in the outrage, and furnishes a just cause of war. These principles of international law are universally admitted, and none have been more sacredly observed by just and

enlightened nations. The obligations of the non-slave-holding States to punish and repress the proceedings of their citizens against our domestic institutions and tranquillity, are greatly increased, both by the nature of those proceedings, and the fraternal relation which subsists between the States of this confederacy. For no outrage against any community can be greater than to stir up the elements of servile insurrection, and no obligation to repress it can be more sacred, than that which adds to the sanctions of international law, the solemn guarantee of a constitutional compact, which is at once the bond and the condition of our union. The liberal, enlightened and magnanimous conduct of the people in many portions of the non-slaveholding States, forbids us to anticipate a refusal on the part of those States to fulfil these high obligations of national faith and duty. And we have the less reason to look forward to this inauspicious result, from considering the necessary consequences which would follow, to the people of those States, and of the whole commercial world, from the general emancipation of our slaves. These consequences may be presented, as an irresistible appeal, to every rational philanthropist in Europe or America. It is clearly demonstrable that the production of cotton depends not so much on soil and climate, as on the existence of domestic slavery. In the relaxing latitudes where it grows, not one half the quantity would be produced, but for the existence of this institution, and every practical planter will concur in the opinion, that if all the slaves in these States were now emancipated, the American crop would be reduced the very next year from 1,200,000 to 600,000 bales. No great skill in political economy will be required to estimate how enormously the price of cotton would be increased by this change, and no one who will consider how largely this staple contributes to the wealth of manufacturing nations, and to the necessities and comforts of the poorer classes all over the world, can fail to perceive the disastrous effects of so great a reduction in the quantity, and so great an enhancement in the price of it. In Great Britain, France and the United States, the catastrophe would be overwhelming, and it is not extravagant to say, that for little more than two millions of negro slaves, cut loose from their tranquil moorings, and set adrift upon the untried ocean, of at least a doubtful experiment, ten millions of poor white people would be reduced to destitution, pauperism and starvation. An anxious desire to avoid the last sad alternative of an injured community, prompts this final appeal to the interests and enlightened philanthropy of our confederate States. And we cannot permit ourselves to believe, that our just demands, thus supported by every consideration of humanity and duty, will be rejected by States, who are united to us by so many social and political ties, and who have so deep an interest in the preservation of that union.

I herewith transmit the proceedings and resolutions of numerous assemblages of the people as well in several other States, as in this, relative to this exciting subject.

It gives me very great pleasure to inform you that our College has resumed its labors under the most flattering auspices, and promises to be every way worthy of the liberal and enlightened patronage by which it has been heretofore sustained. Under the strong impulse it has received from the zealous exertions of the Board of Trustees, sustained by the patriotism of the whole State, it has already risen from its ruinous condition, and is pressing on, with renovated ardor, in the career of literary and scientific distinction. Under the guidance of a faculty, equally distinguished for high qualifications and devotion to their very important duties, it offers to the rising generation of our State, as many advantages as any similar institution in the United States. I cannot too strongly recommend it to the patronage of an enlightened Legislature, and to the countenance and support of every patriotic citizen. It is scarcely possible to place too high an estimate on its importance. Upon its successful administration will depend, in no small degree, the character and the destiny of the State. The very great and salutary change which it has produced in the character of our community, within the last thirty years, is an evidence of the high purposes to which it can be made subservient. Our experience, however, but too conclusively proves, that a munificent endowment by the Legislature, and a faithful performance of their respective trusts, by the Trustees and Faculty, are not of themselves sufficient to insure the success of this institution. The community at large must give it their countenance and support and in some sort, their superintendence. From all parts of the State, there should be a

general attendance of our prominent and educated citizens at the annual commencements, who, with all the public functionaries, should be present to witness the performances of the youthful competitors for literary fame. Nothing could have a more salutary influence, in stimulating the exertions of the young men during the whole course of their college studies, than the prospect of this annual contest for distinction before the assembled intelligence of the State. The parents also, who place their sons in the institution, must give the Trustees their cordial co-operation, in effecting a reform in the extravagant habits of expenditure, which have heretofore prevailed, but too generally, amongst the students. Nothing is more unbecoming the character of a student, or more adverse to his proficiency in literary and scientific attainments, than these habits of extravagance. Every citizen is under obligations of patriotism, not less than of parental duty, to discountenance and repress such pernicious habits by withholding from his son the means of indulging them. Citizens of great wealth, in particular, owe it to the State, to set a public spirited example, in regulating the expenses of their sons, by reducing them to such a standard of economy, that the sons of citizens of moderate fortunes may not be tempted to go beyond their means to avoid disparaging imputations and invidious comparisons. With a view to this important reform, the trustees propose to adopt certain regulations, fixing a uniform dress which every student will be required to wear while under the authority of the College government, and a uniform limitation, upon the different branches of expenditure, which no student will be permitted to exceed.

I confidently hope that no parent will give the least countenance to any attempt on the part of his son to evade these salutary regulations. Small and unimportant as they may seem, the prosperity and usefulness of the College, as a public institution, will materially depend upon their rigid enforcement.

The appropriation made at your last Session for repairing the College edifices, has been applied with judgment and economy by the Committee of the Board of Trustees to whom that duty was confided. The College edifices are now in a complete state of repair, and the fund appropriated will be sufficient to enclose the College Campus, and all the buildings pertaining to the institution, with a substantial brick wall, which is now in progress and will soon be completed.

The number of students now in the College is eighty-five, of whom fifty-two have entered since the 1st of October last, and it is believed that by the 1st of January, the number will be not less than one hundred and ten; exceeding the most sanguine expectations indulged by the friends of the institution. But while the Legislature, by the liberal endowment of this classical Seminary, have provided for the higher branches of education, it is to be regretted that the primary schools, where the elementary branches of education are taught, have been almost entirely neglected. In these schools the rising generation, of all classes, receive their first impressions, in the way of instruction; and here a great part of the community obtain all the instruction they ever receive at schools. How vitally important then are these humble institutions, in a community, where the sovereign power of the State, is not only recognized as residing in the body of the people, but is habitually exercised by them in the periodical election of the public functionaries? The deep importance of popular education to such a community, is universally admitted; but we are unfortunately too prone, in conformity with our American habits, to rest satisfied with proclaiming the maxims of speculative truth, without taking steps to have them exemplified by measures of practical wisdom. In no country is the necessity of popular education so often proclaimed, and in none are the schools of elementary instruction more deplorably neglected. They are entirely without organization, superintendence or inspection of any kind, general or local, public or private. To the reproach of our republican institutions, it must be admitted that some of the monarchies of Europe have manifested a more enlightened zeal in the cause of popular education than has been exhibited in South-Carolina. In Prussia, the primary schools are special objects of the care, superintendence and patronage of the government, and to provide competent instructors for these elementary seminaries, normal schools are established and supported by the government, for the exclusive purpose of qualifying schoolmasters for their vocation. So important is it there regarded, that the masters of the primary schools should be thoroughly quali-

fied, that they are required to remain three years in these preparatory schools, after they have learned reading, writing and the rudiments of arithmetic, and are even then not eligible to a mastership in the primary schools, until they have undergone a thorough examination and obtained a certificate of qualification from a competent board of examiners. It is mortifying to reflect that not one in twenty of those instructors, who have charge of our primary schools, and are thus invested with the sacred office of forming the minds of our children, could stand the scrutiny through which every school-master in Prussia must pass, before he is permitted to perform the very lowest functions of elementary instruction. A radical reform in this department of popular instruction is imperiously demanded by every consideration of patriotism, and although this salutary work must principally depend upon the exertions of individuals and local associations, the Legislature might give aid and direction to the popular effort, by uniting the poor schools with the common primary schools of the country, and increasing, to a small extent, the appropriation for the education of the poor.

It seems to be generally admitted that this charitable fund has been productive of very little public benefit, and has in fact been perverted in many instances, into a provision for the support of indigent and incompetent schoolmasters. If all the judicial districts were divided into school districts of suitable dimensions for primary schools; each of these selecting an intelligent school committee to superintend the business of primary education within its limits, the Commissioners of the Poor Schools might be directed to apply a certain portion of the fund entrusted to their management, to the support of those schools, in such a way and upon such conditions, as would increase the compensation and at the same time insure the competency of the school-masters.

These suggestions are thrown out rather as indicating what ought to be done, and to draw your attention to the subject of elementary instruction, than with the view of pointing out the specific plan by which it may be best promoted. I am fully aware that any reform in the system of primary schools, to be extensively beneficial, must originate with the people, and be carried into execution by them, in their respective vicinities. There is no field of exertion, public or private, in which the duties of a parent and a patriot can be so usefully and honorably blended, as in the improvement, superintendence and inspection of the primary schools; and it is to be hoped that every enlightened citizen will regard himself as a trustee of these elementary seminaries and a guardian of the children who are educated in them. I am thoroughly convinced that the compensation of the teachers in those institutions should be increased, and their standing in society elevated, in the public estimation, to insure the necessary qualifications. No class of the community is calculated to exercise a more decisive influence upon the moral and intellectual character of the State, than the instructors generally of the rising generation, and nothing can be more pernicious than that false economy, which would depress their compensation, and that false opinion which would degrade their standing, below the appropriate standard, indicated by their importance.

Before I dismiss the interesting subject of public instruction, I must call your attention to the consideration of a change, which I regard as highly expedient, in the regulations of our College. Though this is appropriately a classical institution, I am nevertheless of the opinion, that a knowledge of the dead languages should not be made an indispensable condition of obtaining all its privileges, its advantages, and its honors. I can perceive no adequate reason why ignorance of these languages should be an insuperable bar to the literary honors of the institution, however highly the candidate might be distinguished in all the other departments of literature and science.

The education of every citizen should be adapted to the pursuits of his future life. To those who are designed for the learned professions, or for employments strictly literary, or scientific, a knowledge of the classical languages of antiquity is highly appropriate, if not absolutely necessary. But those who are destined to follow mercantile or mechanical pursuits can employ the years devoted to education much more profitably than in acquiring a knowledge of the dead languages.

The principal consideration which recommends the proposed change to your favourable notice, will be found in the fact, that under the existing regulations, parents

who design their sons for mercantile or mechanical pursuits will not give them a college education. However anxious to give them a liberal education in all other respects, they are unwilling to expend three or four years in what they regard as unprofitable studies to prepare them for obtaining such an education. The consequence is, that these highly important classes of the community usually receive no other education, than what they obtain in the primary schools.

In looking into the elements of the wealth and prosperity of the State, every enlightened statesman must perceive the high importance of having a class of native and educated merchants, sufficient both in number and qualifications to carry on the whole of our commerce, foreign and internal. It is essential in this view of the subject, that the character of the merchant should be elevated in the public estimation, to a level with that of the lawyer, the physician, or the planter; and considering the very irrational prejudices which exist on that subject, this can only be accomplished by inducing men of high character, of talent and of education, to embark in mercantile pursuits. The profession of a merchant requires, as much capacity and information, and is essentially as honorable and useful as any of the learned professions. Indeed his employment is next in utility to that of the agriculturalist. It is a most mistaken and pernicious prejudice therefore, which would exclude the sagacity, enterprize and capital of our native citizens from this profitable and useful walk of industry, and give to foreigners, who have no permanent interest in our community, a sort of charter for the exclusive enjoyment of its profits. The benefits which would result from having our commercial exchanges effected by the industry and capital of our own native citizens, would be various and great. The individual wealth made in the State by commercial enterprize, would then add so much to the permanent wealth of the State, instead of being carried abroad to enrich other communities. The population of the State would become more homogeneous, and public opinion would cease to be fractured with so large an infusion of foreign interests, foreign sympathies, and foreign prejudices. An agricultural community, producing staples of exportation to so large an amount as ours, voluntarily throws away its own resources and becomes tributary to other communities, by leaving all its commercial exchanges to be effected by foreign merchants, and to a great extent, in foreign cities. A single view of the subject will shew the immense advantage which would accrue to the State by diverting from agriculture, a sufficient portion of our capital and industry, to perform all the functions of our own commerce. This change would withdraw from agriculture, at a moderate estimate, one-tenth of the capital and industry now engaged in that pursuit. The profits made by this new direction of capital, would by no means furnish the full measure of the benefit which would accrue to the State from the change, if all the staple growing States would pursue the same enlightened policy. The aggregate production of our staples of exportation would be diminished one-tenth, and in the existing and prospective state of the demand for these staples, all over the world, it may be reasonably assumed, on a well established principle of political economy, that this diminished production would be more valuable to the country, than if no diminution had taken place. There is no change therefore in the habits and pursuits of society, which would add so greatly to the independence, wealth and prosperity of the State; and which is at the same time so obviously dictated by private interest. Nothing stands in the way of it but a ridiculous prejudice against the mercantile character, which must speedily vanish before the intelligence and patriotism of the community.

A distinguished citizen of our State has added another to his numerous claims to the title of a patriot statesman, by the aid of his high example to put down this false and mistaken estimate of the useful, confidential and honorable profession of a merchant. It is with a view to this object, that I am anxious that those who are intended for this pursuit, should be educated in the same institution, in which the candidates for the learned professions, and those who are designed for literary and scientific pursuits, obtain their education. And it is for this purpose that I desire them to be placed upon a footing of equality with the classical scholars, in regard to literary rank, and the honors of the College. Whatever objection there may be to uniting two grades of education in the same institution, it is more than counterbalanced by the advantages that would result from this arrangement. The estab-

lishment of a distinct institution, for the education of the mercantile class in the higher departments of literature, would tend to countenance and confirm the injurious prejudice which it is of such vital importance to eradicate.

Without this salutary change in public opinion, and in the direction of our native talent, capital and industry, it will be in vain that nature has indicated Charleston as the commercial emporium of the South, and that our enterprising citizens shall establish a line of packets between that city and Liverpool, or a Rail Road communication with the Western States. Our commercial exchanges must be performed by our own merchants—whose interests, sympathies, and destinies are inseparably united with South-Carolina, or Charleston will never become an extensive importing city. While these exchanges are effected by northern capital and northern men, a northern city will continue to be the emporium of the vast foreign and domestic commerce, which is sustained by our agricultural productions, and appropriately belongs to a southern city. Let us, then, in a spirit of generous rivalry, reclaim from our fellow-citizens of the North, those advantages which they have fairly taken from us by their superior enterprize and industry. And let it be deeply impressed upon the public mind, that similar enterprize and industry, are the only means by which this patriotic achievement can be effected.

The remarks which I have made relative to the pursuits of commerce, are scarcely less applicable to those of mechanical industry; a department which opens a profitable, but neglected field, to the enterprize of our citizens, and which constitutes an essential element of public prosperity. If parents, instead of educating their sons to be drones in the learned professions, without reference to their capacities, would have them prepared for these useful employments they would equally consult the respectability and success of their children, and the prosperity of the State.

Notwithstanding the patriotic and enlightened measures heretofore adopted by the Legislature to place the militia on a respectable footing, further legislation is still required to complete its organization, and insure its proper instruction.

Every consideration of patriotism forbids us to neglect this essential means of defending our rights and institutions. For however humanity may deplore the fact, melancholy experience demonstrates, that justice has much less agency in the adjustment of international controversies than military power. In free States, the great body of the people, trained and disciplined as citizen soldiers, furnish the only means of securing their institutions equally against foreign aggression, and domestic usurpation. If this great truth were as generally regarded in practice as it is admitted in theory, the tenure of our liberties would be as perfect as human wisdom can render it, amidst the ambition of men, and the injustice of nations. The state of disorganization into which our militia had fallen during the two last years, and the almost entire neglect of every species of drill, either company or battalion, had produced the most deplorable deficiency, both on the part of the officers and men, even in the simplest elements of military tactics.

But I am happy to inform you, that owing principally to the Brigade Encampments, a signal improvement has been already made, and what I deem to be much more important, a military spirit has been universally excited among the officers, which cannot fail, if properly sustained and encouraged, to render the militia in point of fact, what it is by the theory of our republican system of government, the Palladium of our Liberties and the bulwark of our rights. These encampments have been held, during the present year, in every Brigade in the State, with the exception of two, where they were prevented by an almost total want of organization. And so indispensable have I deemed them to the military improvement of the State, that I have personally attended them all, devoting my best efforts to render them schools of military instruction and practice, worthy of their patriotic design, instead of scenes of revelry, and dissipation, as our former experience had taught some to anticipate. And it gives me peculiar pleasure in this public manner to bear testimony to the exemplary and orderly conduct of the officers generally, and their laborious, patriotic and exclusive devotion to their duties, during the whole period of their respective encampments. Their moral deportment, their habitual and almost universal temperance, deserve particular commendation, standing, as they frequently did, in striking contrast with the scenes which surrounded the En-

campments. My own conviction is, I believe, confirmed, by the almost undivided opinion of the officers, that this system of encampments, is the best mode yet devised for training and instructing the militia.

Indeed I have strong doubts whether without this school, to qualify the officers and inspire them with the spirit of their responsible trusts, the Regimental and Company musters, would not be rather a public nuisance, than a public benefit.—My opinion is not less decided that the encampments should be annual, and that in addition to the commissioned officers, the four sergeants of each company should be required to attend them; and I earnestly recommend that the existing law be modified accordingly. I am sure that the patriotic spirit of the officers, so far from regarding this as a grievous burthen, would cheerfully render the additional service it will require, as an offering of duty to their country. In two of the Brigades they have resolved, almost unanimously, to hold voluntary encampments during the next year, and I am satisfied this noble example would have been followed by a majority of the officers in either of the other Brigades if the proposition had been submitted to them. The expediency of requiring the attendance at the encampments of those non-commissioned officers who perform the duties of guides, will be apparent to every experienced officer. The use of guides is one of the greatest improvements which has been made in the machinery of modern tactics, and is particularly adapted to the exigencies of the militia service. In all those evolutions on the field, upon the promptitude and precision of which the fate of battles so materially depends, they have a much more important agency than any of the company officers with the exception of the Captain. No officers of any grade stand more in need of experience and instruction. The duties of directing movements, prolonging directions, and measuring distances by a glance of the eye, call into requisition, upon a small scale, some of the faculties required of a commanding General. I, therefore, regard their attendance at the Brigade encampments as of the utmost consequence; and that competent persons may not be discouraged from acting in those stations, so much more useful and important, than their nominal rank would seem to indicate, both justice and expediency sanction the recommendation, that rations be provided for them at the public expense.

The quantity of arms and munitions of war collected and in the progress of accumulation in our Arsenals and Magazines, have added so greatly to the duties and responsibility of the Quarter-Master General's Department, that I have found it impracticable to induce any citizen of competent qualifications to take charge of it, and I am satisfied that a small salary will be necessary to effect this object. It comports neither with justice nor sound policy to ask any citizen to perform these troublesome and responsible duties without compensation. The want of an efficient Quarter-Master General, has been seriously felt, in supplying and transporting the tents for the Brigade encampments, and I have been under the consequent necessity of personally attending to these duties myself.

For the double purpose of compelling officers to perform their duty faithfully, and of relieving from unjust odium such as are disposed to do it voluntarily, it would be a salutary improvement in our own system of militia-training, to require by law, that at each regimental and company muster, the officers shall drill their respective commands not less than a certain number of hours, excluding the intervals of rest. I therefore, recommend that the commanders of companies be required to drill their commands not less than five hours, and those of regiments not less than four hours. It would be trifling with a sacred duty to devote less time than this to its performance. When men are called out into the field of training, as the time is necessarily lost to themselves, it would be a shameful want of patriotism to permit it to be also lost to the State, by devoting it to gossip and dissipation, instead of military exercises. I can bear testimony from my own observation, that a drill of five hours is the best possible security against those scenes of intemperance and riot which have too long disgraced our muster fields, and made our militia trainings, the just themes of ridicule and reproach.

A community of freemen cannot be too deeply impressed with the great truth, that they must be themselves prepared to defend their rights and liberties, or commit the custody of these inestimable blessings to a standing army of mercenary soldiers. In such a community, therefore, a knowledge of the elements of the

military art should be regarded as an essential part of the education of every citizen; and it is my decided opinion, that in all our schools of every grade, every youth above a certain age, should be required to devote a portion of the time usually assigned to mere recreation, to the salutary and useful exercises of military training. So far from interfering with their other duties, this would be only a change of the mode of recreation, and would infuse into their characters sentiments of manliness and honor every way conducive to the good order of the schools. Young men assembled together for several years in schools, academies and colleges, enjoy all the advantages of a continued encampment, for the purposes of military drill; and it is extraordinary that enlightened communities of freemen, should permit these advantages to be thrown away, at a period of life when the most valuable knowledge could be acquired, without any sacrifice of time or expenditure of money. If these advantages were properly improved, every young man when he assumes the habiliments of a citizen, would be also qualified to wield the weapons of a soldier. And I confidently believe that our youth would learn more in three months training at school, than they would in as many years of ordinary militia training, in after life.

I am very clear in my conviction, that sound policy requires that the practice of giving out the public arms, to volunteer rifle and infantry companies, should be entirely abolished; and I believe the ablest and most experienced officers of the State are of the same opinion. Volunteer companies are usually composed of that class of citizens which is most able to provide itself with arms; and there is positive injustice in requiring the members of the beat companies to provide their own arms, while those who are more able to do it are supplied from the public arsenals. The inevitable effect is to depress and discourage the great mass of the militia for the sake of improving a few favorite companies. And so strong is the sense of disparagement in the beat companies, that young men of capacity often refuse to command them, preferring to be privates in volunteer companies. These remarks are not at all applicable to the artillery and cavalry corps, and as they are very expensive, and essentially voluntary, we should be entirely destitute of these two important branches of military power if public arms and equipments were not furnished. I, therefore, recommend that the law be so altered, as to limit the authority of the Governor in conformity with these views.

The fate of battles so materially depends upon artillery and cavalry, that I trust you will give a due share of attention to their organization and discipline, correcting such errors and supplying such omissions as experience may have indicated. And as the great object of education is to prepare our citizens, in youth, for the duties of life in their maturer years, it would be a salutary arrangement, to make it the duty of the professor of mathematics in our College, to teach the elements, at least, of military engineering and artillery service.

Experience has proved that the right of appeal from the decisions of regimental court martials, granted by the act of the last session amounts almost to a virtual repeal of the laws for enforcing the performance of militia duty. As this is an unforeseen consequence, I take it for granted the proper correction will be made.

It will also be necessary to pass a special act to remove the legal impediment which prevents the organization of some of our militia regiments. By the act of 1833, no person is eligible to an office in any regiment who has not held a commission of a certain grade therein for six months; and in some of the regiments there are no persons, having this qualification, and from the very nature of the case there never can be any under the existing law.

I should feel myself justly obnoxious to the imputation of disregarding the constitutional injunction under which I now address you, if I were not to call your attention to the wretched condition of our public roads, as well those which are under superintendance of the State, as those which are under the charge of the respective Districts. I have had occasion to travel over the State Road between this place and Charleston, the greater part of it twice, during the present year, and though I understood the whole extent of the road was under contract for repair and preservation, I could not perceive, on either occasion, a single vestige to show that a spade had been struck into the ground for its repair, except for four or five miles near Charleston. Yet on both these occasions the condition of the road was ex-

ceedingly bad, and capable of being made good by very little labor; and I understand it is now still worse. The income derived from tolls is applied to the repair and preservation of these State roads, without producing any visible result; whereas, I am satisfied, that for one half the sum, an efficient contractor would keep them in good order and make it a profitable business. From the best consideration I can give the subject, I suggest to you the expediency of selling out the whole of the public roads which are the property of the State, in such convenient subdivisions, as may be found most conducive to the public interest, vesting in the purchasers the right to exact tolls, not exceeding those now exacted by the State, and making them liable to indictment for neglecting to keep the roads in good repair, and subject in each case, to pay such sum, by way of penalty, as the presiding Judge may assess. By this arrangement I doubt not that the condition of these roads would be greatly improved, and a considerable sum brought into the public treasury.

The other public roads, throughout the State are in a still more neglected condition. I travelled through some of the wealthiest districts in the upper country, several weeks after the crops were laid by, and found the roads in many places almost impassable by a wagon or carriage, and with one or two very partial exceptions, scarcely amounting to five miles, not a stroke had been struck in a circuit of two hundred miles, apparently in twelve months. If, as it is often said, the improved state of the public highways indicate the advance a community has made in civilization, I fear that in the judgment of impartial strangers, we should hold no enviable rank among the communities of the earth.

I take no pleasure in spreading upon the public records this evidence of the deplorable degree in which the thirst for pecuniary acquisition, has extinguished the public spirit of our citizens, even in this period of great prosperity: but it is my duty to inform you of the true condition of the State, as it regards the subjects requiring legislation, in order that your measures may be adapted to the public emergencies.

It is perfectly apparent that there is a radical defect either in our general system of keeping the public highways in repair, or in its administration. So far as my observation extends, both the system and its execution are in all respects defective. The citizen loses, it may be safely affirmed, four times as much labor, as is rendered to the State. And the portion of this labor that is bestowed upon the roads is so injudiciously directed, that it seldom does any substantial benefit, and very often amounts to a public nuisance. A thorough reform, either in the system itself, or in the means of enforcing its execution, seems to be indispensable. The commissioners in one of the districts have suggested, that a tax be substituted for the personal labor now subject to be exacted, and that the roads be repaired by contract. I concur in the expediency of this change, as I believe it would diminish the burthen imposed upon the people, and increase the benefit which the public would derive from it. Under a judicious local administration, a tax of half the value of the labor to which our citizens are now subject, would keep the roads in thorough repair. If it be objected that many persons who are now liable to work on the roads, will contribute no part of the substituted tax, it is fair to reply, that the tax will be contributed by those who have the greatest interest in having good roads, and generally in proportion to that interest. For any reasonable sum judiciously applied to the improvement of our public highways, our citizens would be doubly indemnified, in a mere pecuniary point of view, by the increased facilities of commercial intercourse, to say nothing of what is due in this respect, to social intercourse and the character of the State.

Whatever plan you may adopt to remedy the defects of the present system, I trust it will be vigorous and efficient, and that every district will cordially co-operate in your efforts, making it a matter of patriotic rivalry which shall do most for the improvement of the State.

I take great pleasure in calling your attention to the subject of a Rail Road communication between Cincinnati, in Ohio, and Charleston, in this State, which has been projected by some enterprising and patriotic citizens of the Western States, and has received the cordial and almost unanimous approbation of the citizens of this State. I have long regarded the establishment of a channel of commercial intercourse between these two portions of the Union, united by so many ties of inte-

rest and consanguinity, and separated only by mountains, as an enterprize every way worthy of a great and enlightened people. If successfully accomplished, it will stand without a rival, and in prominent grandeur, amidst the similar monuments which illustrate this age of enterprize and improvement. Whether we regard it in a political or commercial point of view, it is almost impossible to form too high an estimate of its importance to the Western and Southern States, and particularly to South-Carolina.

In connexion with that spirit of enterprize and domestic improvement which is now excited among our citizens, it cannot fail to render Charleston the emporium of the foreign commerce of the western, and a large portion of the cotton-growing States, and to diffuse corresponding benefits all over the State.

It becomes us, however, to be careful that we are not so far dazzled by the imposing grandeur of this enterprize, as to overlook the various practical considerations which it involves, and upon which its success must depend. The first step to be taken, as a preliminary to the commencement of so gigantic an undertaking, will be the procurement of complete surveys of the different lines of communication which may be suggested, to be made by scientific engineers, and estimates of the probable cost of the work, by experienced and practical men. It is an enterprize, which, under the most favorable circumstances, must require great expenditures, and indefatigable perseverance; and while I should be disposed to recommend, that the State should actively co-operate with any company that may be incorporated, by subscribing liberally for its stock, I should deem it unwise to do so, before the practicability of the work, in a reasonable time and for a reasonable expenditure, shall be satisfactorily ascertained. In determining the preferable route, I hope that local interests will not be permitted to mar the general enterprize, but that after the surveys are completed, the best will be adopted in reference to the grand aggregate of advantages. I recommend that an appropriation be made to effect the necessary examinations and surveys, and that means be adopted to secure the services of competent persons to perform these important duties. Further than this, it would be premature to go at the present session, unless it be to grant a Charter of Incorporation, if application should be made for it.

The approaching expiration of the Charter of the Bank of the United States, has greatly increased the responsibility of your duties in regulating the difficult and complicated subjects of banking and currency. A uniform currency, is essential to a solid state of public prosperity, and there is no duty of legislation more delicate and important than that of preserving the community from those fluctuations in the value of bank paper—our actual currency—which result from the excessive issues of the banks, in periods of prosperity, and corresponding contractions, in periods of pecuniary pressure.

A considerable portion of the planters in this State sell their Cotton in Augusta and habitually receive payment in Georgia bills: These bills are thus thrown into circulation in our upper districts, and owing partly, in my opinion, to the mistaken policy of our own banks, are kept in circulation there, to the exclusion of our own: It is one of the laws of circulation, that when two kinds of currency are thrown upon the community, of unequal credit or value, that which is inferior will supplant the other in the general circulation, as long as it is practically a tender, or as the community will receive it, either from choice or necessity. Now the refusal of our banks to receive the notes of the Georgia banks, throws just so much discredit upon them as fits them for excluding our own bank-notes from circulation, while the trade of the upper districts with Augusta, creates a sort of necessity on the part of the planters to receive Georgia bank notes in payment for their produce. The policy of our banks, therefore, gives a sort of chartered license to the Georgia banks to inundate our State with their bills without any check or control whatever. It is a species of outlawry which seeks to drive out an intruder, by declaring that the law will not notice him, thereby giving him the very immunity he desires. If on the contrary our banks would freely receive the bills of the sound banks in Georgia, they would at once acquire the means of controlling our circulation. The Georgia bills instead of performing the functions of our currency, and making the State thus far tributary to foreign banks, would be collected in our banks and be charged to the account of the Georgia banks, bearing interest; while our own bank

paper would resume its proper function of a circulating medium. In fact Augusta is as much in the circle of our commerce as any of our own towns, and all the solvent banks located there should be placed upon the footing of our own, in all the mutual transactions of banks with banks. All the solvent banks, moving in the same commercial sphere, must mutually give credit to each other, in order to preserve a mutual control, and prevent the derangement of the currency. If any one of the banks thus united should overtrade, the others will perceive it by the state of their accounts, and immediately apply the proper corrective. Though the powers of the direction of our bank are competent to all these purposes, yet as the suggested changes in its policy involve a high degree of responsibility, it may not be improper to give some expression of the opinion of the Legislature on the subject.

The rising town of Hamburg, occupies a commercial position, which makes it a matter of both justice and expediency to give its merchants a due share of the facilities of bank credit. They annually purchase some thirty thousand bales of Cotton, and for the want of a bank located there, they are obliged to obtain money from the Augusta banks, at a higher rate of interest than our own banks are permitted to charge. By allowing this state of things to continue, we should voluntarily pay tribute to foreign banks by driving custom from our own, and at the same time force the bills of the Georgia banks into the channels of our circulation. But while I am disposed to base the facilities of bank credit, equitably extended, to the principal marts of our trade, I am not insensible of the great danger to which the whole country is at this moment exposed, from the spirit of speculating in bank stock and the general tendency to the multiplication of banks. Instead, therefore, of adding to the bank capital of the State by incorporating a new bank, I recommend that a branch of the Bank of the State of South-Carolina, be established in Hamburg, and placed under the management of an able direction, subject to the general superintendence and control of the parent board, and that a certain amount of capital be assigned to it by law.

Owing to the establishment of the Bank of Charleston, and other causes, our bank will have more capital than it can employ, at the existing offices, in the regular course of its discount and exchange business. It is no unreasonable expectation, therefore, that the establishment of a branch at Hamburg will add as much to the revenue of the State, as it will contribute to the prosperity of that youthful town, and to the success of the patriotic enterprize, projected by its founder:—the opening of a direct trade between old and new Hamburg.

The operations of our Bank during the past year, have been unusually profitable, yielding a clear income of one hundred and twenty thousand dollars to the State, after making up the losses sustained last year, by failures in Columbia and other causes. I cannot speak in terms of too high commendation of the fidelity and inflexible integrity which have distinguished the administration of this important institution. And it redounds equally to the honor of our State and of the direction of the Bank, that it has sustained as few losses as any private banking corporation of the same capital, and has been so conducted as to avoid even the imputation of political favoritism or corruption.

I transmit, for your consideration, sundry communications from the Governors of some of our sister States on subjects which may claim your attention. Also a copy of a letter from this department, written to the President of the United States, in conformity to your resolution of the last Session, relative to certain works in the harbor of Charleston, and the answer of the President accompanied by an explanatory report from the War Department.

There yet remain several subjects of importance which will be brought to your attention in a future communication, and among these the state of our finances.

I have but a few words to say to you in relation to the administration of the Federal Government, and the general condition of our federal relations. It has been for some years my opinion, that with a large surplus revenue, the corruptions of that government would soon become incurable, and it is by no means certain that they have not already reached that fatal point. The existing auspices beyond all question, are fearfully unpropitious. The chief magistrate of our imperial republic is at this moment more independent of public opinion, and wields a more despotic power than either the king of Great Britain, or the king of France, and it remains to be

seen whether the people of the United States, like the degenerate Romans in the time of Tiberius, will recognize his right to nominate his successor by raising to the throne, the imperial though not very youthful Cæsar, who has been already clothed in the purple, with due solemnity, and formally presented to the people as the anointed and rightful heir to the succession.

But the sinister omens which darken our federal horizon, should be regarded only as so many impressive admonitions to us, of our peculiar obligations to develop the resources and increase the intelligence and power of our State. In devoting your patriotic labors to these important objects, you may be assured of my zealous co-operation, and of my sincere prayers that Heaven may smile upon your deliberations and consecrate your measures to the advancement of the liberty, the prosperity and the honor of South-Carolina.

GEORGE MDUFFIE.

LEGISLATIVE PROCEEDINGS.

SENATE, *Monday, November 23, 1835.*

Pursuant to adjournment, on the 17th December last, the Senate met in their chamber, and a quorum being present the President took his seat and called the Senate to order.

A Message was sent to the House of Representatives informing them that the Senate had formed a quorum and proceeded to business. A message was received from the House to the same effect.

Messrs. Black and Dugan were appointed a committee to wait on the Governor and inform him that the Senate had formed a quorum and had proceeded to business, and were ready to receive any communication he had to make.

Petitions were presented: by Mr. Whitner, from R. Goodlett; also, from David Cherry; by Mr. Gregg, from Ann M. Talvandi; which were severally referred to their respective committees. Adjourned.

HOUSE OF REPRESENTATIVES, *Monday, Nov. 23, 1835.*

The House met pursuant to adjournment on the 17th December last. There being a quorum of members present the Speaker took his chair.

A Message was received from the Senate informing the House that they had formed a quorum and proceeded to business.

The Speaker then announced to the House, that since the last Session he had issued Writs of Election to fill the vacancies in the Barnwell, Union, Chesterfield, and Darlington delegations.

Dr. Thomas E. Powe, returned as a member from Chesterfield, in place of P. Phillips, removed from the State; Samuel B. Wilkins, returned as a member from Darlington in the place of Robert Ervin, deceased; William M. Duncan, returned as a member from Barnwell, in the place of William Walker, deceased; and James Jeffries, returned as a member from Union, in the place of A. Lancaster, removed from the State, attended at the clerk's desk, were qualified and took their seats.

The Speaker submitted to the House a letter of resignation from Thos. Williams, Jr. of York, and requesting him to issue a Writ of Election to fill the vacancy.—The Speaker stated, that as it was his opinion it was not one of the cases where he was authorized by the Constitution to issue a writ, he had declined to do so. Ordered that the letter be laid on the table.

A message was sent to the Senate informing that body that the House had formed a quorum and proceeded to business.

Messrs. Black, Boyce, and Symmes, appointed a Committee to wait on the Governor and inform him that the House had formed a quorum and were ready to receive any communication from him, reported that he would be ready to send in his Message at 12 o'clock to-morrow. Adjourned.

SENATE, *Tuesday, November 24, 1835.*

The Senate met pursuant to adjournment, and proceeded to business.

Messrs. Patterson, Erwin, T. P. Alston, R. F. W. Alston, appeared, and took their seats.

Mr. D. D. Wilson, from Williamsburgh, elected to fill the vacancy for that place, the seat having been declared vacant at the last Session, presented his credentials, was qualified, and took his seat.

Mr. Black, from the committee to wait on the Governor, reported, that they had done so, and that he would make a communication to-day at 1 o'clock.

A message was received from the House, that they had formed a quorum, and proceeded to business.

The Senate then proceeded to the election of a Reading Clerk, when Alister Garden was duly elected.

The President presented the report of the City Council of Charleston, on the