[illegible] the [illegible] of the Country from time to time, any part of the [illegible] appropriated, which have not been applied to the [illegible] objects for which they were intended, as may be deemed [illegible] by the Legislature, for the improvement of the [illegible].

The importance of preserving in a flourishing condition such a military [illegible] our own borders, is obvious. It prevents a large amount of money from being disbursed abroad and among strangers—our young men are saved from forming prepossessions in favor of foreign countries and foreign manners—they are enabled to study with more effect the political institutions of the State—imbibe a greater reverence for whatever is good and virtuous among ourselves—and avoid a prejudice against that state of society which we now have in the southern States, and which must be, much as we may deprecate it, coexistent with the Union.

The influence of early education upon the well being of society, and upon the present and future happiness of the human race, is admitted by every enlightened nation of the earth; and the responsible duty of disseminating it, devolves with peculiar force upon the statesman and legislator. So completely is the formation of character under its control, that every effort should be made, by encouraging the good, and checking the evil tendencies of our nature, to direct the virtuous energies of the mind, both by moral and intellectual education, into paths of usefulness. And that the standard, both of learning and virtue, may be more elevated, a system of public education should be adopted, by which the thousands of the rising generation in our own State, who seem doomed to a life of ignorance, if not of folly and vice, without the fostering care of the Legislature, shall be enabled to acquire knowledge of the most useful kind—their tender minds trained to a love of order and virtue—and where industry and a reverence for the laws, shall be duly inculcated.

In the present enlightened age of the world, when the favorite scheme of the philanthropist throughout the habitable globe seems to be the beautiful distribution of knowledge, wherever there is human intellect to receive it; and under the improved modes and methods of instruction, which have been introduced into the primary schools both of Europe and America, contributing so much to the ease with which elementary learning may be acquired, let us no longer permit the youth of our State, to launch upon the ocean of life, there to shape their course without at least, the rudiments of science.

In proportion to the ease with which an education may be acquired in other countries, and the facilities afforded by their governments for this purpose, so should we feel its importance among ourselves; and with an enlightened wisdom, peculiarly characteristic of the present age, should North Carolina attest her belief in these principles by a liberal provision for the education of her children, until the development of intellect, and the establishment of truth, shall have placed us equally above the reach of civil tyranny, and ecclesiastical usurpation. The vast importance of this subject, has frequently claimed for it the consideration of the Legislature—and a report upon it by some of the most distinguished citizens of the State, under a resolution of the Legislature of 1824, will be found among the archives of the State. Accompanying this communication will also be found a plan for the establishment of primary schools in North Carolina, submitted by a gentleman, whose opportunities for observing the practical operation of the public schools of the northern States, entitle his opinions to influence, and the benevolence of the attempt to adapt them to the peculiar situation of his adopted State, will secure to him the gratitude of its citizens.

I have also been enabled to procure, and herewith transmit you, a account of the common schools in New Jersey, and the school system of New York, Connecticut, Rhode Island, Vermont, Massachusetts, New Hampshire and Maine. These several documents, are believed to contain the fulness of information upon this most interesting subject, calculated to shed all necessary light on the path of the Legislature, in regulating this important branch of our public economy.

It is respectfully submitted, whether some measure should not be adopted by the present Legislature, preparatory to the profitable investment of the large amount of funds now owned by the State in its banking institutions; and for enabling *these*, to close their concerns before the expiration of their charters in 1835; and, as an increased vigilance is called for in proportion to the near approach of this period, to secure as far as possible the interest of the State, it is with deference suggested to the consideration of the Legislature, that they be authorised to lessen the number of Directors in these corporations, and particularly in the State Banks; and that this latter institution be permitted to close its concerns, by discontinuing its branches alternately, at intervals of not less than nine months, commencing with that branch where the greatest facilities are afforded without its aid, for obtaining Bank loans, and where, consequently, the relations between debtor and creditor will be least disturbed—and terminating with the mother Bank.

In this way, the Bank will have the benefit of all its capital, to retire from circulation the notes of one of its branches at a time; and the citizens of the State will not feel so sensibly the pressure of a diminution of currency—an evil always incident to the sudden winding up of the affairs of a monied institution. It is not to be presumed that men of competent skill in the management of this matter, requiring not only talents, but a sacrifice of time, will consent to make that sacrifice without a due compensation, either in the form of salary, or Bank accommodation. In this latter mode, have all our Directors been rewarded for their services—seldom to their benefit, and often to the great loss of the Banks.

The proper regulation of the circulating medium, is acknowledged by the ablest writers on political economy, to be as difficult, as it is important to the welfare of a State. The system of banking, by which it has been attempted, and which, like many other systems both good and bad, has been handed down to us from the British government, is not without its warm advocates, and those who are no less opposed to it from principle. But we are at no loss for evidence, that the mode in which it has been conducted among ourselves, is subversive of morals, and has been productive of wide spread ruin. To effect an improvement in the system, every Legislature in the Union has been employed, and a thousand essays addressed to the sound understanding of the citizens of the country.

The principle of gain, upon which banking is conducted, being the value of currency in circulation above the value of coin retained in their vaults to meet the demands against them, every precaution should be used to prevent the excessive issue of their paper above the available capital of the Banks; for all experience shews, not only that there is a tendency in paper money to depreciate, but that no corporation, invested with the power of an unrestricted issue of paper money, has failed to abuse it. Should the power, then, to supply the State with paper money, be vested in individuals, forming themselves into private banking companies, it cannot reasonably be expected, that the public interest should claim as much of their attention, by preventing the endless recurrence of ruinous variations in the supply of money, and giving stability to the currency and the pecuniary transactions of the country, as the advancement of their own interest; nor is it to be supposed that they will be scrupulous in promoting this, because others are to suffer.

The love of gain, which exerts such vast influence over the human mind, will operate with the stockholder of a Bank, to, at least, its legitimate extent. If kept within proper bounds, it exercises a salutary influence upon society, and happily transfuses itself into the government of a country, and deserves its encouragement; but, if pressed beyond its legitimate bounds, and is sanctioned by chartered privileges from the State, it becomes an engine of avarice and ambition.

So long, then, as the Legislature shall choose to delegate to any set of individuals the power, the important trust, of supplying the State with currency as a substitute for the precious metals, it should have ample security that the latter be not driven out of the State by them, and that the public shall lose nothing either by their improvidence or fraud. This principle has been recommended by one of the most distinguished statesmen of the present day, and is recognized by the Legislature of an enlightened State, as the proper basis of banking operations.

An increase of circulating medium, even a means of extricating our citizens from debt, is believed to be visionary, and can only have the effect of procrastinating the evil day, which must sooner or later arrive, and with an accumulation of interest in proportion to its remoteness, and with a greater certainty of ruin, for there is no fact better established, than that the profits of agricultural labour, are not equal to the legal interest of money. If the wisdom of economy, which the want of necessity have been taught, is not sufficient to drive us to the practice of this cardinal virtue, and its handmaid industry, by which alone we can be relieved from our embarrassments, it is much to be feared, that every attempt to effect it by legislation, will be little better than political quackery, and rather adding to the load of debt and difficulty.

The Judiciary, which has always been, and with much propriety, the favourite branch of the government, cannot be guarded with too much care. Upon the purity and ability with which the laws of the country are administered, depend all our rights and happiness, in connection with liberty and property. The Judicial districts into which the State has been divided, are believed to be too large, and the eastern circuits particularly, to require a new organization, to prevent the waste of life, and the delay of justice, incident to the present arrangement. In connection with this subject, permit me to call your attention to the pardoning power; which, in every government, is wisely placed somewhere, and by the Constitution of our State, is very properly given to the Executive; to be exercised by him, when a fit case for clemency occurs. But the ease with which an artful man can make a homicide in the first degree, appear a homicide in the second or third; or a felony appear a breach of trust; and the better feelings of our nature all turning to the side of mercy, by which petitions, filled to great length, by respectable names, are easily obtained, thereby embarrassing the Executive in the discharge of his official duties, it is respectfully submitted, how far it would add to the public demonstration of the majesty of the laws, and be productive of a deep and salutary effect on the public mind, to require the judge presiding on the trial of any criminal, to make out, at the instance of the convict, an abstract of the evidence in the case, to be submitted by him, with his petition for pardon, to the Executive.

In obedience to a resolution of the last General Assembly, directing the Board of Internal Improvements to collect evidence concerning the obstructing the navigation of the Cape Fear river, below the town of Wilmington, during the revolutionary war, for purposes of defence, and the opinion of the Civil Engineer of the State as to the probable effects on the navigation of said river by such obstructions, the depositions of several of the most respectable citizens in that vicinity, and some of them aiding in the very operation, together with the opinion of Mr. Nash, on the subject referred to him, were forwarded to our Senators in Congress, and immediately met the favourable consideration of that body. An appropriation of $20,000 was made to remove the obstructions, and the work is now going on exclusively under the direction of the General Government. Of a similar character is the improvement of the navigation of Ocracock Inlet, for which, appropriations to the amount of $4[illegible],000 have been made by Congress.

That these works, promising such advantage to the State, and of such vital interest to the towns of Newbern and Wilmington, carried on under the fostering care of the General Government, conducted by Engineers of competent skill and with adequate funds, will be consummated, [illegible] have the guaranty of the government, in the liberal appropriations [illegible]ready made, and in their established practice of never abandoning a work of usefulness, in an unfinished state.

But a work of still greater importance, both as it regards the interests of the State, and of the United States, calls loudly for your attention, and, through you, for the attention of Congress. If there be a work more peculiarly national in its character than any other in which the State of North Carolina can have a direct interest, it is the opening a communication from the Albemarle Sound to the Atlantic Ocean. Until such an outlet can be formed, a vast proportion of the products of the State will find a market through the ports of Virginia, and we shall still be tributary to that State. If the difficulties of getting to sea from this extensive and commodious bay, watering a tract of country, not inferior in point of fertility to any part of the world, and fed by tributary streams from every direction, one of the first commercial towns in the southern country would grow up on its borders, and afford a market for the products of industry, which could not fail to quicken vigilance throughout our State. And in answer to the question, "how will the execution of the project affect the interest of the Union?" permit me to use the strong language of the Board of Engineers of the United States: "Without entering," say they, "into an examination of the political effects of the proposition which has come under our consideration, & in which the particular interests of the State may possibly run counter to those of the Union, an examination to which we do not consider ourselves called by our instructions, nor qualified by due preparation, we shall merely remark, that if the plan be carried into successful execution, *whether we consider the profits of commerce, the dangers of shipwreck, pursuit by an enemy, or convenience as a point of departure and refreshment for our own privateers and vessels of war, a harbour will be formed precisely in that part of the coast, where it is most needed.*" With these liberal and enlightened views of the agents of the General Government, beckoning us on to an enterprise so replete with interest and importance to the State, shall we, as though conscious of inferior claims upon that government which we have contributed our full share of blood and treasure to establish and maintain, fold our arms in quietness, as though we had neither part nor lot in the matter? Or shall we not rather, cherishing an exalted pride and generous patriotism, call on Congress, through our Representatives in that body, the proper organs of such a call, to unlock the doors which shut us out from the commerce of the world?

The Yadkin river, extending its branches in different directions, almost from the extreme south, to the extreme northern boundary of the State, and watering one of the most interesting portions of its territory, rendered so by the density of its population, the salubrity of its atmosphere, and the fertility of its soil, must find an outlet to the ocean, for its rich and abundant articles of commerce, either through the Cape Fear river, or through South Carolina by means of the Pedee. Under these circumstances, and a patriotic determination to divert this commerce from passing to its ultimate destination through foreign ports, and to concentrate as far as possible the wealth of the State, it is with much earnestness recommended, that a communication between the Yadkin and the Cape Fear, either by a well finished turnpike or rail road, be established. And that the practicability and utility of the latter may be tested, it is again submitted to the consideration of the Legislature, to construct one from the town of Fayetteville, to the river at Campbellton, as was suggested by my predecessor. This mode of increasing the commercial facilities of a country, and thereby bettering its internal condition, appears to be gaining ground so fast in the estimation of men of science, that it can be hazarding very little, for the State to order such a work to be constructed, between two points so nearly contiguous, and over which the transportation is so great.

Among the subjects which will occupy the attention of the Legislature, is the management and disposal, of that portion of the public lands, to which the Indian claim has recently been extinguished, lying principally, in the county of Macon. What that disposition will be, is for you to determine. A portion of these lands having been surveyed under the direction of a former Legislature, it is respectfully submitted, whether that portion should not be disposed of by an Agent or Agents, appointed under your direction, and the residue, made the subject of entry, as other vacant lands of the State, at a price to be fixed on by the Legislature. But, as there are strong reasons to induce a belief, that on some of those lands there are valuable deposites of the precious metals, it is also submitted to your consideration, how far it may be promotive of the public good, and compatible with the principles of our Government, to secure to the State, an interest in all the mines and minerals which now are, or may hereafter become, the subject of entry. Should this view of the subject meet the approbation of the Legislature, it is respectfully recommended, that a scientific mineralogist and a practical miner (if the latter can be had,) be employed to explore the public lands, to ascertain what portion, if any, for mining purposes, it may be to the interest of the State to retain. This examination I have no doubt could be satisfactorily made in a few months, under the able professor of Chemistry and Mineralogy in our University, who have already thrown so much light on this subject, and from which likely to derive such inestimable benefits.

An elegant map of the State of New Jersey, not inferior in any splendid one received last year of the Commonwealth of Virginia, sented us by that State, and we are to daily expectation of receiving States of Missouri and Illinois, and the Territory of Arkansas. You ed by my predecessor, that we had from time to time, received maps States and Territories, and that a due regard to courtesy, would seem us to reciprocate the kindness, as soon as practicable.

The importance of a correct map of a State, must be apparent even to a ficial inquirer; and one elegantly executed, is very properly a subject of pride. Virginia, at an expense of sixty-six thousand dollars, and South at the enormous sum of ninety thousand, have had their respective terri veyed, and maps executed, which do honor to the artist, and are of incal vantage to the country, both in a civil, and military point of view. The in the office of the Board of Internal Improvements, made by order of the those made by the several navigation companies of our primary rivers, and gant map of the coast, made by United States' Engineers, together with merous surveys of western roads, and boundaries of the extensive acquisi east, and geological charts furnished by Professors Olmstead and Mitchell so much of the ground work of a correct map of North Carolina, upon which rising generation of the State may trace her extensive territory, and calculate abundant resources for the prosecution of those great works of internal improvement, which must sooner or later be undertaken, that I feel it my duty to bring the subject before you, and to ask for it the favourable consideration Legislature.

Before closing this communication, could I discover any reasonable a beneficial result, it would afford me pleasure to direct your attention to as a subject deeply interesting in itself, and recognised by the Constitution ing identified with the rights and liberties of our country; but there are growing out of the organization and discipline prescribed by Congress, during its operation, must forever baffle every exertion to accomplish the tant object, "a well trained and disciplined militia." The act of Congress 1792 on the subject of the militia, holds to service all free white males between age of eighteen and forty-five. Since the period of the passage of that act, population has nearly quadrupled, and, consequently, the number of persons to militia duty, has increased in the same ratio, making the number between ages, little less than two millions—a force, which, it is believed, no exigence of country can ever require.

To subject, then, so large a portion of the community, as is required by the above act, to the performance of militia duty, and to a course of training sufficient to the attainment of that degree of discipline necessary to render them effective in service, would be imposing a tax on the time of our citizens, which neither their circumstances nor the interest of the country would justify. It would seem evident, then, that no important improvement of the militia can be effected, till Congress shall adopt an organization, upon which, a system of training can be predicated, competent to the end proposed. This view of the subject seems to have been so generally taken by the most eminent military men of the country, as to have established it, so far as their concurrent testimony will go, as true; and that the militia laws, as generally enforced and observed in the middle and Southern States, instead of advancing the military art, is productive of a contrary effect, by engendering vicious habits, encouraging intemperance, and, consequently, a spirit of insubordination.

By an act of the Legislature, the Governor is authorized to distribute the public arms among the volunteer companies of the State; and, under this act, frequent requisitions of them are made of the Executive. But experience having shewn that, in consequence of the short lived existence of most of our volunteer companies, the State has sustained greater losses in the loan of them, than benefit from their use, it has been deemed expedient to suspend for a season their further distribution, unless it be at a few points, where sudden invasion, or other danger may render it as a precautionary measure, expedient.

In every instance where volunteer companies have been dissolved, with the arms in the State in their hands, embarrassment has occurred in their collection; much loss of their number; and still greater sacrifice in their general abuse—and securing to the State the value of the arms, which can seldom be done with certainty, does away the principal objection which exists to the loan of them; as their value in money cannot be deemed an equivalent to their importance to the State when they shall be required for its defence. It is, therefore, respectfully submitted, whether the power of the Executive over the public arms, should not be restricted to the emergency of "repelling invasion or suppressing insurrection," or to the reasonable apprehension of such an emergency.

The death of Chief Justice Taylor, which occurred soon after the rise of the last Legislature, produced a vacancy on the bench of the Supreme Court, which was filled, under the provisions of the Constitution, and by the advice of the Council of State, by appointing the temporary commission (to terminate with the present session of the General Assembly) to John D. Toomer, Esquire, of Fayetteville. It is with you to make the permanent appointment.

Doubts being entertained, to what portion of the salary appropriated for the payment of a Judge of the Supreme Court, the representatives of Judge Taylor are entitled (the latter having died soon after the commencement of a quarter, but not until the official labours of the current half year had been performed,) it is with great deference submitted, whether a warrant, for the residue of the salary not claimed by his successor in office, should not issue in favour of his representatives.—By his death, we have lost a citizen of great worth, who, in the discharge of his official duties for nearly thirty years, was diligent and faithful, and having acquired the confidence, he deserves also the gratitude of the State.

It is also my painful duty to communicate the death of Joseph Wilson, Esquire, Solicitor for the sixth Judicial District, occasioning a vacancy in that office. The office of Solicitor having been created since the adoption of the Constitution, and the right of supplying for a season a vacancy occasioned by death or otherwise, being conferred by the Legislature on the Judge presiding in the Circuit where such vacancy happens, I have not deemed the *duty*, if it was the *right* of the Governor and Council to interfere. To the permanent appointment of a successor to Mr. Wilson, you are also called upon to act.

The paper marked A, contains the resignation of his appointment of Senator to the Congress of the United States, of the Honorable John Branch. In accepting the resignation of Mr Branch, it will be recollected with pride, and with pleasure, that, although the nature of our connection is by it changed, yet, his services are not lost, but rather transferred to a sphere of more extended usefulness; where, in his own language, "the pretensions and relative weight of the State may be maintained in the councils of the country," and to a place for which he is peculiarly fitted, both by his unbending integrity and firmness.

The file herewith transmitted, marked B, contains reports, resolutions and memorials of several of our sister States, on subjects of the first importance to the Union, some of them, particularly so to the Southern States, viz. a report and resolutions of the General Assembly of Missouri, on a report and resolutions of the Legislature of Georgia, declaring that the Congress of the United States have no constitutional power to appropriate monies to aid the American Colonization Society; and a resolution proposing an amendment to the Constitution of the United States, by which the President and Vice President shall be elected by the people, without the interference of the House of Representatives in any case.—Also resolutions of the Legislature of Louisiana, proposing an amendment to the Constitution of the United States, by which the President and Vice President should hold their offices for six years, and be ineligible afterwards. Also the Preamble and Resolutions of the General Assembly of Virginia, on the proceedings of the respective Legislatures of South Carolina and Georgia, on the Tariff acts, the acts for Internal Improvements, &c. heretofore passed by Congress; and resolutions adopted by the State of South Carolina on the subject of the Tariff—the right of Congress to adopt a system of Internal Improvements, and to make an appropriation for the benefit of the Colonization Society; and also the resolutions of the General Assembly of Mississippi on the subject of the Tariff. The same file contains three very able papers from the State of Georgia, transmitted from the Executive of that State, with a request that they be laid before you. One, a report on the resolutions of South Carolina and Ohio on the subject of State rights, of Slavery, and an appropriation for the Colonization Society; another, a remonstrance, addressed to the States in favour of the Tariff, and the third a memorial on this subject, addressed to the Anti Tariff States, of which number is North Carolina, from every principle of interest, and fair constitutional construction.

If the Treasury be closed to the tributary streams of commerce, and the General Government of the country is still to be supported under a heavy Tariff of duties for the express purpose of supporting the manufactories of one portion of the country, but upon the agriculture of another, can the burthen of taxation fail? But as nothing has yet transpired, by which the peculiar policy of the present administration can be known, either as regards the foreign or domestic relations of the country, and as ours is emphatically a Government of public opinion and we have every thing to hope from the present enlightened Chief Magistrate of the nation, elevated as he has been by the people, a course of forbearance on this important measure, is, for the present, respectfully recommended; for I have no doubt, that free and calm investigation, indicating at once moderation and firmness on our part, will soon obtain a repeal of all palpably unjust and oppressive measures; and that our Federal institutions will take deeper root, by agitations of the storm.

An act was passed by the last Legislature, "for revising, digesting and amending the laws relating to Executors and administrators;" by which the Governor is authorized to appoint two commissioners to carry the provisions of the act into effect. Upon