

Executive Speech
of
Richard Skinner
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SPEECH OF GOV. SKINNER— 1821¹.

Gentlemen of the Council, and Gentlemen of the House of Representatives, – Again under the auspices of an overruling Providence, we have been permitted to convene, as the representatives of the people, invested with the power of legislation delegated by the enlightened freemen of the State; for the purpose of discharging the duties incident to the important trust; and I can but indulge the hope, that [the] improved state of our public statutes – the absence of political dissension and party strife – the spirit of unanimity which generally is manifested; and by a humble reliance upon the guidance and favor of the Supreme Being, by whose peculiar regard we have hitherto been distinguished; we shall be enabled to perform the service with unusual harmony and all that dispatch, which is not inconsistent with temperate deliberation.

From the local situation of the State; the pursuits of the inhabitants being almost exclusively agricultural; and the general prevalence of regular economical industrious habits, but few subjects are presented which require the attention of the legislature.

The recent revision of the act regulating and governing the militia of this State, will, it is presumed, render it unnecessary that much time should be occupied on that subject; my observation, however, in relation to its operation, induces me to suggest the propriety, of adopting some measures, by which the services of the most effective, and useful of that part of the citizens, who are supposed to constitute the force on which the State depends for its defense, may be secured. I allude to the facility with which commissions and discharges are obtained, by young gentlemen the most promising and who, from their influence, ability, and ambition, if retained, would greatly augment, the number of those who are the pride and ornament of the militia.

The necessity of having returns of the state of the militia regularly made is apparent; and whether any farther provision in the law, on that head, will tend to remedy the evil, arising from the habitual neglect of this duty, is submitted to your consideration.

The declaration of the Council of Censors, that the law regulating the rate of interest, is “grossly and openly violated,” corroborated by the testimony arising from common observation, inspires the hope, that the legislature will, by an early attention to the subject, be enabled to act definitively thereon. Altho’ it is the general opinion, and in which I fully concur, that laws calculated to limit the demands of money-lenders, are beneficial to society; I am well persuaded, that if, as the Council of Censors allege, the existing law does not afford an *effectual* remedy but “is violated by a large proportion of our monied citizens,” instead of answering any useful purpose, it is productive of serious evil. As a general principle, it is inexpedient to retain upon the records of the State an inefficient law. The statute referred to, was designed principally for the benefit and protection of the necessitous – to shield against the oppression of the wary capitalist, those who, from embarrassed circumstances, are compelled to apply for pecuniary aid to others, who possess the means. The premium that is now paid, for the supposed risk of incurring the penalty, would not be extorted, if from the provisions of the law, there was no prospect of escape, or if it was wholly repealed; and in either case, the exemplary citizen, who from principle conforms to the law, would enjoy an equal privilege with him whose avarice is restrained only by necessity.

The unhappy effects of ignorance, and its attendants, superstition, and immorality, which we daily witness in other nations, especially in their abortive attempts, and impotent struggles, against the relentless rule of those, whose power is measured by the degrees of disparity, between their attainments in knowledge, and that of their subjects; occasions a frequent recurrence to the approved maxim of freemen, that “a general diffusion of useful knowledge, and improved state of science, afford the best security to civil and religious liberty.” As guardians of the State and of the interests of its citizens, it is our duty to adopt such measures, as will most effectually secure to posterity, the peculiar blessings of that free government, which by our ancestors has been wisely established, and faithfully transmitted to us. A diligent and persevering attention to the education of our children, is that without [which], we cannot expect the people will long retain a republican form of government.

¹ From the printed *Assembly Journal* of 1821, corrected..

The remarks have not been elicited by any evidence of a want of regard to the subject on the part of the General Assembly, or from a belief, that in point of learning, the youth of this State are surpassed by any; but by the testimony of the Council of Censors, that the act of A.D. 1810, for the support of schools, has not been duly executed, and that the interference of the Legislature is required.

As the State possesses no public fund from which any portion of the current expenses of the government are defrayed, or to which resort can be had, in times of great pressure upon the pecuniary concerns of the people, and a direct appeal to them in the form of a tax, is resorted to annually; the General Assembly cannot too frequently be reminded of the necessity of a practical and careful attention to economy in public expenditures.

At a period like the present, when the price of every commodity produced in the State, is depressed almost beyond example, it will afford me the highest satisfaction to aid, in every measure calculated to advance the great interest of agriculture.

As remittances for foreign manufactured articles, cannot be made by us, as heretofore, in the usual products of the State; the success of our manufactures is becoming an object of deep interest, not only to those who are more immediately concerned, by an investment of their property, but to the great body of the citizens.

I am not insensible that the subject is one over which the State Legislatures have but little control; and that the proceedings of Congress are necessary embarrassed, by the great diversity of interest, in the different sections of this extensive country for which they are required to legislate. I am also aware, that a difference of opinion exists, amongst those who are immediately engaged in the business of manufacturing, as to the propriety of any further interference on the part of the government; and that at present, property applied to this object, probably produces an income beyond that of any other. If the citizens engaged in the business, already possess peculiar advantages, and any further encouragement afforded by the government, should operate exclusively to their advantage, the measure would be unjust; but if this encouragement, should have the effect, greatly to increase, not the profits, but the number of manufactures and manufacturing establishments, and thereby produce a competition which does not now exist – to measurably change the course of agricultural pursuits, now so unprofitable, by inviting the growth of, and furnishing a home market for raw materials, as also a market for that surplus produce which has heretofore been exported; and to secure amongst us a specie currency; there can be no doubt of its wisdom and justice.

It will be necessary that the act dividing the State into districts, for electing representatives to Congress, should be repealed or suspended at the present session of the legislature; as the ratio of representation, under the late census, will probably be changed before the next session; and the number of representatives, to which we are entitled, may not be the same. It will also be necessary to provide for the second district in which no election has been made. It may not be improper to observe that the repealing of the statute of A.D. 1818, may perhaps operate as the revival of the former statute.

In obedience to the direction of the Legislature at their last session, I appointed Horace Everett Esq. to revise the laws relating to the probate of wills, and settlement of testate and intestate estates; from whom I have recently received, and will forthwith transmit to you his report.

I have received from the States of Maryland, and New Hampshire, certain resolutions, accompanied by the very able reports of committees of their respective legislatures, upon the subject of appropriating public lands, for the purposes of education; requesting the co-operation of this legislature, and which will be duly transmitted to you. Should the General Assembly approve the principle, they will, it is believed, feel no delicacy in making the claim on behalf of the people of Vermont, for perhaps none in the United States, in proportion to their ability, contributed more to the acquisition of those rights, which were purchased by the toils, distresses, and sacrifices of the revolutionary war. Situated upon the frontier, they constituted a barrier between the enemy and the confederated States. Not having then been acknowledged as a member of the confederation, no part of the expense they incurred in the war, has been assumed by the general government, while they have participated in the burden of the funded debt.

The attention of the legislature of this State, as well as of the several States, has been requested by the General Assembly of the State of Ohio, to the report of the committee, and certain resolutions of the General

Assembly approved and adopted, at their last session, upon a subject of vital importance to the interests and safety of the Union; and which shall be seasonably laid before you. In complying with my duty, in making this communication, I forbear attempting an investigation of this subject, from a conviction, that any views which would be suggested, as the result of that examination, and consideration, I have been enabled. To bestow upon it, have already been fully anticipated by you; inasmuch as the public have long since had their minds directed thereto; and have been favored with the labored expositions of learned jurists, and able statesmen; and more especially, as the important question embraced, occupied the solicitous attention of this legislature at their session in October, A.D. 1799; and upon which their opinions were unequivocally declared.² Permit me then to recommend to your dispassionate consideration, the matters contained in the report and resolutions; and to express my belief, that although Vermont would be the last to submit to an encroachment made by either branch of the general government, upon those rights and powers which are reserved to it as a free state, and would be prompt in the exercise of all legal, and constitutional means, to resist every aggression; and whatever may be the opinion, as to the correctness of the decision of the Federal Court, in the case referred to; yet that we shall not readily adopt the opinion, that the several States, which compose the Union, sustain the character of independent sovereignties, in the sense, that no power short of that which is physical, is supposed to exist, by which a constitutional question, arising from an incongruity in the acts of the general and state governments, can be decided.

The late acquisition of a territory, designed by nature as a constituent part of the Union; and over which the united demands of interest, and security, require the jurisdiction of the government to extend; furnishes evidence of the wisdom, and inspires confidence in the uprightness of the administration.

The favorable issue of this protracted negotiation, with the Spanish Government, has left the United States, in relation to all foreign powers, upon a footing, which promises permanent peace, and friendly intercourse.

While rejoicing in this propitious aspect from abroad, the mind that is duly impressed with a just sense of the value of our civil institutions, that has in any measure surveyed the wretched state of other nations, and is not ignorant of the causes that have dissolved republics, is naturally inclined to enquire, whether there are any grounds of anxiety at home – any recognition of doctrines subversive of the government; and notwithstanding some may imagine, they can discover tokens of dissolution, in the manifestations of increasing jealousy, towards the authorities of the general government; it would be with extreme reluctance, that I could permit myself to believe, that the time had arrived, in which any considerable portion of the citizens, would forget the necessity of restraining unwarrantable suspicion, of smothering the first glimmering of the torch of discord, and the expression of extreme solicitude, for the preservation of a confederacy, which is our only guaranty, against the degradation incident to despotism, and that which alone can secure us, from becoming in the end, the subjects of foreign domination.

RICHARD SKINNER

² The Kentucky and Virginia resolutions of 1798 are here referred to. See Vol. IV, pp. 525-529.