Inaugural address

of

William Slade

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Inaugural Address

Fellow citizens of the Senate and House of Representatives:

The guardianship of the interests of this Commonwealth, which fall within the province of its civil government, has, by the favor of Providence, been committed to us; and we come together for the purpose of its execution. If we would discharge, in the best manner, the duties it involves, we shall begin and end every thing, with a recognition of our dependence upon Him "from whom all good counsels and all just works proceed;" while his claims upon our fidelity to Himself, will become an ever-present incentive to fidelity in the service of the people we represent.

The year which is drawing toward a close has been one of prosperity to our people. Though threatened drought has repeatedly filled them with apprehension and alarm, they have finally been permitted to reap an abundant harvest, thus happily finding increased motives to gratitude, in deliverances from impending danger, rendered the more impressive by strong contrast with less favored portions of our country.

A great trust has been committed to us, as the constituted guardians of the interests of the people. If, in the struggles connected with the election which has sent us here, we have suffered unworthy passions to gain an ascendancy; as they too often do in political contests, we cannot come here and enter upon the sober work of surveying our responsibilities, without dismissing them all, taking each other by the hand as fellow-citizens and brethren, and striving together for the faith of our fathers, and the furtherance of the great ends for which they established the government we have been appointed to administer. How shall we best accomplish these ends within the brief space of our annual session? Is a question which you will allow me briefly to invite your attention.

The institution of civil government is designed to become an active beneficent agency. The restraint of force is far from being its only object. Excepting in governments purely arbitrary, law derives its energy from a force extraneous to itself – the force of a deep and abiding sentiment of veneration for law – a love of order – habitual self-restraint – elevation and purity of moral feeling, and intelligence to guide it wisely in the complicated affairs of human life.

Civil government, then, accomplishes its object, not when it punishes crime, but when it prevents its commission – not by providing jails and penitentiaries, but by preventing the necessity of their existence by training the people, as far as law can properly interpose its power, to intelligence and the love of virtue. The fathers of our State felt this, when, with characteristic wisdom, they declared in the constitution, that "laws for the encouragement of virtue and the prevention of vice and immorality ought to be constantly kept in force and duly executed; and a competent number of schools ought to be maintained in each town, for the convenient instruction of youth, and one or more grammar schools be incorporated and properly supported in each county in the State." Thus were the encouragement of virtue, the suppression of vice, and the maintenance of schools, deemed so vital to the welfare of the State, as to demand for them a special provision in its organic law.

So large a portion of my first annual message to the General Assembly was devoted to the subject of education, that I deem it necessary to do little more than refer you, as I most respectfully do, to that message, for my views in regard to it.

The present has been truly denominated an age of progress. The human mind is vigorously seizing, and carrying out to practical results, the momentous truths which respect the relations of men to each other, and the appropriate means of accomplishing the purposes of human society and government. At the foundation of this vast movement lies the great work of Education – the work of developing and giving the right direction to mental and moral power. And if human government is to be regarded as an institution designed to perfect the purposes of society, and improve the condition of man upon earth, it needs no labored argument to show, that education, thus defined, is among the highest duties of those entrusted with its administration.

Nor should it be forgotten that there are rights correlative to this duty. Every child in the State has a right to be educated – a right as essentially reciprocal to the claim of the State to allegiance, as is the right to protection.

The question whether the children of a State shall be educated, is no more a question of mere expediency, than is the question whether the people have a right to protection from foreign aggression and domestic violence. Indeed, protection from the effects of ignorance and vice is, itself, protection, in the highest sense, from all the dangers which can arise within the limits of a State. Would we have obedience to law? Let the children be learned, in the common school, as well as at the domestic fireside, the duty of self-control, and of reverence for the law of eternal rectitude written in the word of God; while the development, in just and harmonious proportions, of God; while the development, in just and harmonious proportions, of their whole mind, shall give them, at once, a conscious sense of the worth of mind, and an intelligent conviction of the great purposes it is fitted to accomplish.

All the children in Vermont – especially the children of the poor – stand in the attitude of just claimants, in respect to education, upon the fostering bounty and guardian care of the State. And what has Vermont done to satisfy this claim? We have, indeed, declared, by law, that "each organized town shall keep and support one or more schools, provided with competent teachers;" that the towns shall be divided into school districts; that certain district officers shall be appointed; that taxes there shall be added, for the current use of schools., the annually accruing interest of the surplus revenue of the United States, deposited with this State. And here, with the exception of making provision for certain returns of school statistics, we have left the matter. If school houses are built, we have taken no care whatever for their proper location or construction; and if teachers are employed, we have done nothing in regard to the all-important matter of their qualifications, aside from the barren enactment that they shall be "competent." What shall constitute competency, or who shall judge of it, are matters entirely overlooked in our legislation. The result is, an admitted and lamentable deficiency in the qualifications of teachers; great and manifest defects in the modes of instructions, and confusion and want of uniformity in regard to the books used for that purpose; while a large proportion of our school houses are located in highways, with little regard to comfort of fitness in their internal structure, and as little to taste and beauty, and convenience, in the grounds connected with them; if, indeed, any grounds but those of highways are thus connected. And yet, what an amount of money is annually expended for the use of schools. To say nothing of the amount expended in the construction of school houses – of which we have no means of forming an estimate – let us look at the expenditure for teaching.

From the statistics returned to me last year, from 159 of the 240 towns in the State, I drew the conclusion in my report to the General Assembly, that there was paid to teachers in the whole State, exclusive of teachers of select schools – from which there were no returns – the sum of $128,000 annually. No one can soberly consider this subject, without feeling painfully impressed with a conviction of the utter waste of a very great portion of this large sum. It is not extravagant to say, that its power for good might have been doubled, and more than doubled, if it had been expended under a system of supervision which should have carried into the schools, teachers fully competent, and modes of instruction founded upon the true philosophy of mind, and a practical acquaintance with the means best adapted to its true and proper education. We do not so much need, at the present moment, additional pecuniary means, as we do a system adapted to give greater efficacy to those already possessed, – a system which shall give a right direction to effort, and make it effectual to the proper education of the children of the State. The whole, so far as the aid of legislation may be properly invoked, is comprehended in the pregnant words —*Supervision – Responsibility*. We have now nothing that deserves the name of either. We have provided, indeed, for the organization of districts, and the employment of teachers by their prudential committees, who are authorized and required to "adopt measures for the inspection, examination, and regulation of the schools, and the improvement of the scholars in learning." But experience as shown, abundantly, that all this is unavailing to the purpose of securing a proper examination, or indeed any examination, of teachers, or a proper supervision of the schools, or to awaken that interest in their improvement, among parents and throughout the community, which is as indispensable to their vigorous health and prosperity, as a pure and bracing atmosphere is to the support of human life.

We want a system of supervision which shall make the power of beneficent legislation felt, through competent and discreet agencies, in every district, and by every child, in the State. Shall we have it? That is the question; and it presses upon us more urgently than any other question within the range of our legislative duties. We cannot avoid its consideration. The States around us are moving onward in the work of improvement; and

so urgent have been considered the claims of common schools upon legislative patronage, – so manifest the defects of old systems of supervision and instruction, and so common and universal the benefits to be derived from improvements in both, that party spirit has stood silent in presence of this great question, and all classes and all parties have made common cause in the noble work of educational improvement.

The expense of carrying into effect a system of adequate supervision need not be great, while its benefits will be inappreciable. Dollars and cents cannot measure their value. We readily make investments in railroads, and other improvements, which promise a return of pecuniary profit; but what are such investments, in comparison with those which, in the process of educating a community to virtue and intelligence, infuse into it the great and indispensable elements of solid and enduring prosperity.

I commend this whole subject to your earnest consideration, under a full persuasion that an awakened and greatly advanced public sentiment will respond a hearty approval to your favorable action on it.

I cannot leave the subject of common schools without devoting a few moments attention to what is familiarly denominated "the School Fund." The foundation of this fund was laid in 1825, when the General Assembly passed an act sequestering and granting to the respective towns in the State, for the benefit of common schools, the amount of the avails, accrued, and thereafter to accrue, to the State, from the Vermont State Bank, and also the amount of the State funds accruing from the six per cent, on the net profits of the banks, received and to be received, and the amount received and to be received from licenses to pedlars. It was provided that said funds, with the annually accruing interest, should be "invested in approved bank stocks or other productive securities," and should not be appropriated to the use of schools, until the amount should increase to a sum, whose annual interest should be adequate to defray the expenses of keeping a good free common school, in each district in the State, for the period of two months.

The State Treasurer was constituted a commissioner for the management of the fund; who thereupon proceeded to invest the same, by loans, for the purpose contemplated in the act.

By an act passed in the year 1833, further loans from the fund were prohibited, and the Treasurer was directed to deposit the same in the treasury, as it should be received, and to keep an account thereof, and annually charge the State with the interest on the money thus deposited – which, it was declared, "shall be considered as borrowed from the fund;" and the Treasurer was "authorized and directed to pay out said money on any appropriations authorized by law."

Under the operation of this act, and principally in connection with the expenditure of $117,000 for the erection of the State House, the State, from time to time, has become indebted to this fund, until the indebtedness now amounts, including the accumulations of interest, to the sum of $224,309.50, while there is due to it from individuals, the sum of $10,590.94; making an aggregate of $234,900.44.

The expediency of continuing this fund has long been questioned. Upon full consideration, I deem it my duty to bring the subject to your notice, and to submit the question, whether any present or prospective interest of the people requires that it be continued.

The first question to be considered is, when will the fund become available for the use of schools; that is, when will the annually accruing interest be "adequate to defray the expenses of keeping a good free common school, in each district in the State, for the period of two months."

The number of school districts in the 240 towns in the State – taking the returns of last year from 159 towns which gave 1809 districts, as the basis of calculation – may be estimated at 2730. If it be assumed, for the purpose of the calculation, that, by the time the fund will become available, the number of the districts will have increased ten per cent, on the present number – which may be regarded as not an improbable increase within thirty-three years – we shall have 3000 districts to be provided, from the avails of the fund, with a good school two months in each year. Estimating the expense of keeping such school two months in the then advanced stage of educational improvement, at $40, there would be required the sum of $120,000, as the accruing interest of the fund, to render it available; which is the interest, at six per cent, on $2,000,000.

The question now arises – within what time will the fund probably accumulate to $2,000,000? Its present amount is $234,900.44 – the annual interest on which, at six per cent, is $14,094.02. The average annual income from the six per cent of bank profits, for the last six years, has been $3,669.86; and from pedlar's licenses $1,146.52; amounting to $4,816.38; which may be assumed as the annual addition to the fund, hereafter, from these sources. The avails of the Vermont State Bank have nearly ceased to add anything to the fund, and should not be made the basis of any calculation for the future.

We have, then, the elements of the calculation, namely, the present amount of the fund, the interest thereon for one year, and the probable annual income from the bank tax and pedlar's licenses. The process of accumulation by annually compounding the interest, according to the act constituting the fund, will produce $2,000,387.79 on the first of January, 1878; so that the children who shall be in life that year, will reap the first fruits of the fund, if it shall be so long continued. This assumes, however, the doubtful position, that six per cent interest may be realized throughout the entire intervening period of *thirty-two years and three months*, and makes no allowance for losses and the expense of managing the fund.

The great question is now presented – what, in reference to the fund, is our duty to the generation of 1878? Admitting, of course, that it is our duty to labor for the benefit of that generation, the question is – will that generation be really benefited by a continuance of the fund? If we could send it forward to them, really invested in "approved bank stocks, or other *productive* securities," according to the law of 1825, they might, perhaps, be benefited; though the expediency of accumulating school funds, so large as to have the effect of relaxing personal efforts, begins to be questioned. But so far as we send them a fund, consisting of a debt due from the State, we send them a fund entirely unproductive – a fund which, when it reaches them, will consist merely in their indebtedness to themselves. If we would make it otherwise, we must tax the people of this generation to an amount sufficient to extinguish the indebtedness of the State to the fund; and having thus drawn the amount from the pockets of the people, invest it in "productive securities," and, in that condition, send it forward to the generation of 1878. But who is prepared to do this? Who will vote for such a tax? None, it may be confidently affirmed. Nor, it may be affirmed with equal confidence, will our successors be willing to do it, five, ten, twenty, or thirty years hence, when the indebtedness of the State shall, by the compounding of interest, have become greatly increased. Of what benefit, then, will the fund be to them, unless it can, by some fiscal magic, be made spontaneously to yield the interest, and pour it into the treasuries of the towns for the use of schools?

The whole operation, so far as it purposes to benefit the generation of 1878, is a delusion. It is the people borrowing of themselves, and adding the annual interest to debt against themselves, and sending this accumulated indebtedness forward to become the indebtedness of a generation thirty-three years hence, for the purpose of benefiting that generation. The truth is, that, instead of sending them a benefit we shall send them a burden, which, if wise, they will, by abolishing the fund, shake off; namely, the burden, if they would carry the act constituting the fund into effect – of raising the interest on it by direct taxation, to be paid into the State treasury, minus the expense of collection, for the purpose of being sent by the commissioner of the fund back to the people, to be expended for the use of schools. It will not be very unnatural for the tax-payers of that day to inquire, why they should support their schools by such a complicated and expensive process, rather than by the simple and cheaper one of taxing themselves for the purpose, in their respective towns or districts.

If future generations would not be benefited by this fund, neither will the present. This is self-evident. Why, then, continue it?

In these remarks I am understood, of course, to have spoken of that part of the fund which consists of the indebtedness of the State, amounting at this time, to the sum of $224,309.50. An act to annul this indebtedness, would leave to be disposed of, the sum of $10,590.94, invested in individual securities, bearing interest. None would think of suffering this sum to accumulate, even with the addition of the six per cent on bank profits, and the income from pedlar's licenses, with a view of making them available for schools, under the act of 1825.

The demand for funds to aid in putting in operation a system of common school improvement, such as the State needs and public sentiment evidently demands, suggests the direction which might be given to a part, or all, of these sources of income, when released from their present connection. It is believed that the annually accruing interest on that portion of the present school fund loaned on private securities, together with the annual

income from pedlar's licenses, would be sufficient for that purpose. We may thus institute a system of Supervision and Accountability, which shall give concentration and energy to the present efforts to raise the standard and multiply the facilities of education, until the minds of the mass of our children – the happy mingling of the poor and the rich together – shall feel its equalizing and elevating power. Thus, while conferring substantial benefits on the present generation, we may send forward an influence, which shall flow on, in a continually widening stream of benefits and blessings, to the generation that succeed us to the end of time.

Should it be found that no interest of the present, or of future generations, can be benefited by a continuance of the State indebtedness to the fund of which I have spoken, and the indebtedness to the fund of which I have spoken, and the indebtedness should be cancelled, the State debt would then stand as follows:

Due the safety fund banks, including interest to October 1,		$30,389 81
Due the surplus fund,	$14,812 28	
Deduct the amount loaned out the past year,	11,004 00	
		3,808 23
Salaries due, October 1,		1,108 33
Due to towns for interest on surplus fund,		444 36
Total,		$35,750 78
The balance in the Treasury on the 13th day of September was		$18,417 97
Balance of taxes due,		23,232 50
Total,		41,650 47

To what extent the service of the coming year – a portion of which necessarily constitutes a draft on the present balances in the treasury and on taxes – will permit the application of a part of those balances toward the extinguishment of the indebtedness of the State, may be determined, upon the careful examination which ought to be made into every branch of expenditure with a view to ascertain whether there can be any reduction, consistently with the public interest. In looking at the expenditures of past years, I have been struck with the large amount disbursed under the heads of "Supreme and County Court orders" and "Clerks of Courts for the expenses of Supreme and County Courts," which have risen from $20,405, in 1839, to $28,970, in 1845. The amount disbursed under these heads during the last seven years, has been $184,300, averaging $26,328 per annum. I would suggest the propriety of an examination into the details of these large items of expenditure – in regard to which it may possibly be found that, in a course of years, abuses have crept in, requiring corrective legislation.

The treasury is happily relieved from a charge which, for many years, hung upon it, in the form of "military orders," which, for the five years previous to and including the year 1843, when they ceased to be a draft on the treasury, amounted to the sum of $18,501. I am happy to say, that, by a law of last year, the people are relieved from the still more burdensome tax of annual trainings of the enrolled militia.

It may be reasonably hoped that, by a practicable and not injurious reduction of expenditures, particularly in the heavy items to which I have referred, a sum may be saved which, with a fixed appropriation of the income from the bank tax – relieved from its present pledge to the school fund – might, within a moderate period, extinguish the entire indebtedness of the State.

The reference I have made to the items of expenditure in connection with the Supreme and County Courts – a large portion of which results from criminal prosecutions – suggests a topic of much interest, to which I would call your attention.

The great purpose of criminal law is reformation. This purpose lies at the foundation of the Penitentiary system, which combines with imprisonment, hard labor, and a course of moral discipline suited to bring back offenders to the paths of rectitude and virtue. But this system is applicable, under our laws, only to the higher offences, leaving a large class of offenders without the benefit of any such reforming process, and substituting

for it, confinement in the county jails – in some cases with the alternative of the payment into the county or town treasuries, for non-payment of which imprisonment necessarily follows.

Whether confinement in the county jails is inflicted as a punishment, or results from inability to pay fines, it obviously has an effect entirely the reverse of reformation. It is impossible to visit a convict, thus thrown into a county jail, with little or no attention to any except his mere animal wants, without feeling painfully impressed with a conviction, that it is an unnatural and monstrous perversion of the power of punishment. Without employment or exercise, the convict is left to the corroding and maddening influence of the reflection that he is an outcast from the charity and sympathy of the world; and that the law and its executioners are alike his enemies. Every moment's continuance of such confinement tends to weaken his purposes of amendment, and prepare him for abandonment to the commission of higher offences. There are cases in which this is not true; but they constitute the exception and not the rule. If the history of all the State Prison convicts were fully disclosed, it would probably be found that a large portion of them have been tenants of county jails in punishment for inferior offences.

The remedy for this evil is obvious. It is the application of the principle of penitentiary discipline to minor offences, by means of the Houses of Correction in each county – to be made comfortable in their structure and accommodations, and to be connected with such arrangements for the profitable employment of the inmates, and the exercise of such firm and steady discipline, as sound wisdom and the spirit of Christian kindness may suggest. By such means may offenders be made useful to the public during the necessary continuance of their confinement, while the higher purpose shall be answered, of impressing upon their minds, by every thing they shall see around them, that they are men – bound to society, not by the law of force merely, but by the higher law of moral obligation, as well as by the sympathies of our common nature.

Such a course of treatment would, doubtless, have a very happy influence upon "vagrants and idle and disorderly persons," for whose restraint and discipline our laws make no provision, save that of the town poor houses, which, by the 21st section of chapter 17 of the Revised Statutes, are constituted Houses of Correction, but which, while they involve the evil of an unnatural mingling of the aged and infirm poor with the restive and troublesome, can seldom be made to accomplish, to any considerable extent, the purposes of correction and reform.

The bearing upon our whole system of criminal justice, of such a process of discipline as may be carried into effect in county houses of correction – especially in the cases of juvenile offenders – is obvious – Its salutary effects would, in due time, be visible in diminished drafts upon the State Treasury for the expenses of criminal proceedings; in a diminished number of convicts in the State Prison, and in increasing peace, order and obedience to law, throughout the community.

I have received the ninth annual report of the Trustees and Superintendent of the Vermont Asylum for the Insane, which presents a very gratifying exhibition of the condition and prospects of that institution, under its present excellent and efficient government.

During the past year 294 have been admitted into the Asylum, 99 have been discharged and 263 remain. Three hundred and sixty-three have enjoyed the benefits of the Asylum within the entire year. Of the 99 discharged, 59 have recovered. Of the 48 "recent cases" discharged, there have been 43 recoveries. In the 51 chronic cases discharged, the recoveries have been but 10. The great importance of obtaining the benefit of the Asylum in the early stages of insanity, is thus rendered apparent.

The annual State appropriation for the benefit of the insane poor was increased, at the last session of the General Assembly, to $3,000; in consequence of which the number of patients at the Asylum has increased during the past year, so as to render the erection of additional buildings necessary. Additional buildings, to contain about 80 rooms, are partly finished and occupied, and will, it is expected, be completed by the first of November next, when all the buildings will be sufficient for the accommodation of about 300 patients – a number deemed by the Trustees to be as large as is desirable in one asylum.

The report states that such an amount of funds will be received from other sources, as to supersede the necessity of an application to the Legislature for assistance to defray the expense of the additional accommodations.

Since the first of January last, 137 patients have shared in the State appropriation, of whom 19 have been discharged; leaving of these cases, 118 now in the Asylum. The existing State appropriation has paid a little more than three fifths of the expense of those who have been in the Asylum, as State beneficiaries, during the past year; leaving the remainder to be paid by those who sent them there; and it is estimated by the Trustees that the appropriation will be adequate to defray, during the next year, but one-third of the expense of the present number of State beneficiaries. They suggest the desirableness of an increased appropriation, so as to defray nearly one-half the expense of that number. I concur in this suggestion. An increased appropriation would probably have the effect of inducing towns to place, and keep, at the Asylum, insane poor persons who might otherwise be deprived of its benefits. There is a class of cases in which entire recovery might be effected by a continuance beyond the limit of the present State appropriation, when a restriction to that limit might render the appropriation, as to them, of little value. It is very desirable that the insane poor should not, through insufficient inducement to towns to continue them at the Asylum, be returned uncured to the miserable condition which, through the humanity of our legislation, they may have been permitted to exchange for the substantial comforts and the improving influence of that institution.

The establishment of the Asylum, with its excellent system of treatment, while it has had the effect of disclosing the terrible secrets of insanity, has gladdened the hearts of the benevolent with a reasonable hope of giving effectual relief to a large portion of the insane, and of ministering greatly to the comfort of those who have, by long neglect become incurable. No object, proper for legislative aid, makes a stronger appeal to our liberality than this.

Upon entering on the duties of Commissioner of the Deaf and Dumb, I directed inquiries to the Superintendent of the American Asylum at Hartford, Connecticut, for the purpose of obtaining information, in sundry particulars, in regard to the past connection of that institution with the education of deaf and dumb persons, supported, in whole or in part, by this State, and received, in reply, a statement specifying, agreeably to my request, the names and residence of persons, supported, in whole or in part, by the names and residence of persons, supported, in whole or in part, by this State – the times of their admission and discharge, the period of their instruction at the public expense, and the amount paid for cash by the State. I transmit the statement herewith, to the House of Representatives, for the use of the General Assembly. It appears that from the year 1817, but principally since the year 1825, 113 have been educated, in whole or in part, by this State, at an expense, up to the 1st of May last, of the sum of $38,118.25.

I have made orders for the admission into the Asylum of 8. The whole number now in the Asylum, at the public charge, is 20. Of the appropriation for this object, there has been expended during the past year the sum of $1,960.91.

The Asylum is under a very competent and intelligent Superintendency, and is evidently deserving the continued patronage of the State.

In execution of my duty as Commissioner of the Blind, I have made orders for the admission of two blind persons into the New England Institution for the Blind, at Boston. The expenditure for the support of the blind during the past year, has been $1,120.

In execution of the law of the last session providing for a Geological Survey of the State, I appointed Professor Charles B. Adams, of Middlebury, Principal Geologist. Mr. Adams entered on the duties of the appointment in March last; since which time he has been laboriously engaged, with the aid of well qualified assistants, in prosecuting a Geological and Mineralogical survey of the State. The law having made it the duty of the Geologist to report annually to the Governor the progress of the work, he has made to me his first annual report, which I shall hereafter communicate to both branches of the General Assembly.

The labors of the first year of the survey have been mainly and appropriately directed to a general reconnoisance of the State, for the purpose of determining its general geological features, including the limits of the several rock formations, preparatory to more minute investigations in subsequent years. How well this part of the survey has been performed, will appear in the report of the Geologist when submitted. From a hasty examination of it, I have been led to believe that it will be found, by those competent to judge, to furnish evidence that the prosecution of the work thus far has well fulfilled the purpose for which the survey was instituted. The report will be found, I think, to contain more valuable information than is usually embodied in preliminary reports, especially in the department of economical geology, upon which, on account of its great practical importance, I have directed the Geologist to bestow special attention throughout the entire survey.

The report contains a statement of the expenses of the survey, brought down to the 15th of September, amounting to the sum of $1,336.22 and an estimate for the balance of the geological year ending on the first of March next, being $663 – amounting for the entire year to the sum of $1,999.22. It will be seen that his sum falls within the limit of the annual appropriation for the survey.

In the performance of the difficult and responsible duty of appointing a State Geologist, I have experienced no little embarrassment from the limited amount of the annual appropriation of $2,000 – an amount considerably below that of similar appropriations in other States, and much below the sum previously estimated as necessary for the survey of this State, an amount, however, which I have felt bound to make the immovable limit of all my calculations for the prosecution of the work. I have, therefore been compelled to restrict the Geologist and his assistants to compensations below those usually allowed for such services – in regard to which, however, I deem it fortunate that I have been able to secure, for compensations so inadequate, services so efficient and valuable. I am inclined to think that justice to those engaged in the survey, as well to the survey itself, demands some addition to the appropriation for the service of the remaining two years.

The Geologist will hereafter report to me, as the law makes it his duty to do so, an estimate for the expenses of the next year, which I will transmit for the consideration of the General Assembly.

The law authorizing the survey, makes no provision for preserving suites of specimens for any purpose. The preservation of a suite to form a State cabinet being however, obviously indispensable, I have given orders to the geologist to that effect. I have received formal applications for suites of specimens, from Middlebury College, from the Medical Colleges at Woodstock and Castleton, and from the Troy Conference Academy at Poultney. The obvious importance of having collections of specimens illustrating the geology and mineralogy of the State, to form cabinets in these institutions, as well as in the Vermont and Norwich Universities, has induced me, though without authority of law, to direct the Geologist to make his collection sufficiently large to enable him to furnish complete sets to all these institutions, in regard to which I confidently anticipate the sanction of the General Assembly, in the small additional appropriation which may be necessary to meet the additional expense.

I am happy to say that a deep and general interest has been manifested by the people, in the survey as it has progressed, which, it is hoped, may be regarded as an earnest of what is to be expected through its entire course. The science of geology, though possessing high practical interest, is but little understood by the mass of the people. I regard it, therefore, as not among the least important benefits of the survey which the liberality of the General Assembly has authorized, that it will awaken among all classes a more general interest in the science, and have the effect of directing the active minds of our people – especially the young of both sexes – to its study – a study so well adapted to discipline, expand and elevate the mind, while it goes forth to investigate and admire the useful and mysterious, the beautiful and sublime of the Creator's works.

By a resolution of the General Assembly, passed at the last session, it was made the duty of the Governor to request the delivery by the General Government, of "the four brass cannon, taken by the Green Mountain Boys, from the British at Bennington, on the 16th of August, 1777," and to cause the same when received, to be deposited in the State House. In obedience to the requirement of this resolution, I addressed the Secretary of War on the 21st of January last, requesting the delivery of the cannon. To this I received a reply, dated the 20th of February, saying that, "should the guns referred to be found in the possession of the ordnance corps, they are

among the other trophies of the war of the revolution, and are held as public property of the United States;" and suggesting an application to Congress for an order for their delivery.

In reply to a subsequent communication from me, asking that an inquiry might be made for the purpose of ascertaining the number of the cannon taken at Bennington, then in the possession of the United States, and their location, I received a letter from the Secretary of War, covering a report from the Ordnance Department, by which it appeared that there were, at the United States arsenal at Washington, two brass guns, reported as three pounders, and marked "taken from the Germans at Bennington, August 16, 1777;" and that "no other trophies captured on that occasion are known to be in the possession of the government." Copies of this correspondence, numbered from 1 to 5 inclusive, are herewith communicated to each branch of the General Assembly.

An application to Congress being thus rendered necessary, I recommend such further action as shall be deemed appropriate to effect the application, and render it available.

The necessity of more effectual provision for preventing the evils resulting from the practice of taking unlawful interest, induces me again to invite it to the attention of the General Assembly.

Our laws have long prohibited the taking of interest above the rate of six per centum per annum. All the reasons which have induced the enactment and continuance of the prohibition, obviously urge its enforcement. Indeed it is urged by the additional consideration that habitual impunity to the violation of any law, tends to weaken the force of all law.

If the law is to remain on the statute book, it should not be left without adequate provision for its enforcement. No such provision now exists. The only remedy is by an action for money had and received, or goods sold and delivered, for the recovery of the interest received unlawfully, to be sustained by common law evidence of its payment – a process which experience has abundantly shown, can very rarely be made available. To leave the enforcement of so important a right to the chance discovery of testimony to a transaction, which, from its very nature, is guarded with the profoundest secret, is but a mockery of justice.

I submit whether some provision should not be made, which shall give a remedy, better suited to the nature of the case – a remedy which shall find its means of enforcement in an appeal, in some form, to the conscience of the receiver of unlawful interest.

Our connection with the Federal Union, whose power reaches, and deeply affects, our interests, makes it our right and our duty, frequently to review its legislation, and subject its policy, present and prospective, to examination. This duty has never been more imperative than at the present moment, not only on account of the great importance of the questions in issue before the country, but from a consideration of the oblivious and increasing tendency to a course of Federal administration wholly partisan in its character, and so bent on securing sectional ascendancy, or ministering to purposes of political ambition, as to lose sight, too often, of the just limits of constitutional power.

Since the last session of the General Assembly an important step has been taken towards the annexation of a foreign government to our Confederacy This has been done by the adoption of a joint resolution by Congress, declaring its consent that "the territory properly included in, and rightfully belonging to the republic of Texas, may be erected into and rightfully belonging to the republic of Texas, may be erected into a new State, in order that the same may be admitted as one of the States of this Union." This consent is declared to be given upon the condition that the constitution to be formed by the people of Texas, shall be transmitted to the President of the United States "to be laid before Congress for its final action, on or before the first of January next," and with a provision, among others, that "new States of convenient size, and having sufficient population, may, by the consent of said State, be formed out of the territory thereof, and entitled to admission under the provisions of the Federal Constitution."

To this resolution there was added another, to the effect that if the President should deem it most advisable, instead of submitting the foregoing resolution to the Republic of Texas, as an overture for admission, to negotiate with that Republic, then that the admission might be effected, either by treaty, to be submitted to the Senate, or by articles to be submitted to the two Houses of Congress, as the President might direct.

Upon the passage of these resolutions, the President proceeded to act upon the first, and forthwith submitted it to Texas, as an overture for its admission. Upon the receipt of the overture, a convention was called, which has formed a constitution which has been submitted to the people of Texas for their action on the 13th of the present month. It will probably be ratified, and submitted to the Congress of the United States at its next session for their approval, which is an indispensable prerequisite to admission into the Union.

The question of annexation being thus an open question, the States may, with a view to its final decision, as well as in reference to their duty, upon a possible consummation of the measure, properly subject it to the ordeal of severe scrutiny. I deem, therefore, no apology necessary for inviting it to your particular attention, nor for the expression of my conviction that Vermont should firmly resist every advance towards the consummation of a measure so utterly subversive of her rights as a member of the existing Confederacy.

This meditated invasion of our rights is not to be regarded, or treated, as an ordinary violation of the Constitution, for which there may be a constitutional remedy in the interposition of the judicial power. No judicial power can effectually reach the case. Let the deed be done – the foreign State admitted, and its Senators and Representatives be actually in Congress, and, practically, a decision of the Supreme Court would be powerless. The truth is, the measure is essentially revolutionary It is a fraud upon the Constitution, and utterly subversive of it – changing essentially our domestic Federal relations, and creating a new union, of which neither the present Constitution, nor mutual confidence will constitute the bond; a union whose only bond will be, the apprehended evils of actual separation, since it is impossible that confidence or affection can exit where there is an abiding sense of flagrant injustice and usurpation.

Much has been said in regard to the "compromises of the Constitution" in favor of Slavery: and so sensitive are the South on this subject – so tenacious of the concessions wrung from the North, as the price of the Union, that the bare proposal by the legislature of Massachusetts to amend the Constitution by abolishing the slave representation in Congress, has been denounced as little less than treason to the Union. But this very compromise carries with it an irresistible argument against the measure of annexation. A slight consideration of the subject will render it apparent, that the compromise securing a slave representation, must have had reference to a union within the then limits of the United States, because it concerned a sectional interest, the adjustment of which in the compromise, must necessarily have had respect to definite territorial limits – otherwise the balance might be destroyed and the compromise practically nullified, by the addition of foreign slave States, giving to the slave interest an unlooked for and permanent preponderance in the union.

And such nullification will be the effect of consummating the measure of annexation. The compromises touching the question of slavery will be at an end – as clearly so, as would be one of two dependent and reciprocal obligations between individuals, where the other had been violated.

The truth is, that, at the time of securing the great and fatal concession of the slave representation – by whose votes in Congress almost every question affecting the relative interests of the slave and non-slaveholding States, including the question of annexation, has been decided – no thought was any where entertained, of extending the bounds of slavery beyond the then limits of the United States. It was, on the contrary, the universal expectation that slavery would decline, and at no distant period, cease to mar our Federal Union. It was in the spirit of this anticipation that it was declared, in the articles of compact embodied in the celebrated Ordinance of Congress of '87 for the government of the Territory North West of the River Ohio – which passed with but one dissenting vote – that "there shall be neither slavery nor involuntary servitude therein, otherwise than in the punishment of crimes." And what still more strikingly evinces the spirit of those times, and the true bearing of that ordinance in respect to slavery, the preamble to the articles of compact declared, that they were ordained "for extending the fundamental principles of civil and religious liberty which form the basis whereon these republics, their laws and constitutions, are erected."

If it had been asserted in the Convention that formed the Constitution, that under the clause declaring that "new States may be admitted by the Congress into the Union," foreign slave States might and would come in, it is very manifest that the clause would not have been adopted without an express negation of such a construction – much more, that a provision for the representation of three-fifths of the slave population would not have been permitted a place in the Constitution. The fact that such a provision was made is therefore conclusive evidence

that the admission into the Union of foreign slave States under the Constitution, entered into no one's conceptions, and would have been expressly guarded against if suggested from any quarter.

It follows that every assertion by the South of the sacredness of the slave representation compromise, is an argument of its own mouth, that the introduction of foreign slave States into the Union is, itself, a violation of the compromises of the Constitution. And it furthermore follows, that such introduction of foreign slave States, in effect discharges the North from its obligation to a continuance of the slave representation — a representation sufficiently onerous when confined to the *Constitutional* Union, but intolerable when extended to a *new* Union, formed by the introduction of foreign slave States, for the purpose of perpetuating the dominion of the slave power. Let the South either relinquish the unrighteous advantage of the slave representation, or cease to press for the admission of foreign slave States. To claim both is an aggravation of injustice, equaled only by that of the system for whose support and continuance it is perpetrated.

Equally unjust and absurd is it to claim an execution of the constitutional stipulation for the surrender of fugitives from oppression, and for protection against domestic violence, while the right is claimed, and exercised to augment and perpetuate, indefinitely, the burden of these obligations, by the annexation of foreign slave States to the Union.

Slavery, moreover, is an element of weakness, inviting invasion, which the Constitution binds the nation to repel, in whatever quarter it may threaten. How long and to what extent this obligation is to be binding, may hereafter become a question. The advocates of annexation movement originated and has been conducted, the more manifest, it would now seem, that the Executive is pushing a claim to territory as a part of Texas clearly beyond any limits ever assigned to the department of that name, and not even in possession of the government to whom the overture for annexation has been made.

The impotence of Mexico may be to us an effectual protection. We are probably safe from the injury her sense of wrong may prompt her to inflict. But who shall protect us from the just judgment of an impartial world, or blot the stain of injustice from the pages of our country's history?

In reference to the position sometimes taken, that the action already had upon the subject of annexation precludes us from further opposition to the measure, it is sufficient to say, that no right can be precluded by any action, of the character of that legislation under which the overture to Texas has been made. It is an attempt to annex by joint resolution of Congress – the unconstitutionality of which was so apparent that it became necessary to connect with it an alternative resolution providing for annexation by treaty. It was by the union of such an alternative, that conscientious scruples as to annexation by joint resolution itself, and thus do the very thing which those scruples would not allow could be done.

We have, thus, a double violation of the Constitution; to which must be added, the fact that the President elect made his appearance at the scene of action and turned the trembling scale, by throwing into it the weight of his incoming official patronage.

Shall such an act, carried by such means, have the effect in this free country, of concluding and silencing opposition to an unconsummated measure? Let the spirit of free, intelligent and unsubdued Vermont answer.

And where will Vermont soon be, if the policy of foreign annexation is to prevail, and become the settled policy of the country? She will be in the condition of an appendage of a vast slave empire, embracing, not Texas only, but California, and finally every part of Mexico – all of which will be overrun by slave holders, who will, in due time, declare independence, and claim and obtain admission into the Union.

But annexation may be consummated! Slavery may triumph. It may secure a majority in the Senate of the United States. It may annul the compromises of the constitution, and destroy the bond that holds these States together. What then, shall Vermont do? What it will be her *right* to do, admits of no question. If, from a regard to peace, she shall forbear to exercise her right, it should be with a solemn declaration to the Union and the world, the she thereby acknowledges no right of annexation, and forbears from no diminished conviction that it will subvert the Constitution, and essentially destroy the Union of which it is the bond; and that she reserves the right of such future action as circumstances may suggest.

But, in the event of annexation, there will remain a great practical duty for us to perform. It will be, to go to the very verge of our constitutional power to effect the abolition of slaver, as "the chief evil in our country, and the great crime of our age." Slavery will, by annexation, have been taken under the special protection of the national government, and made in the highest sense, a national institution; and, thenceforth will become a leading and controlling element in the Union. It will then be seen in a stronger and clearer light than it has ever been. The success of annexation will have signally illustrated its character; and the time is not distant, when it will be able no longer to adjust its influence in the scale of parties, so as to maintain its ascendancy by Northern co-operation; for the North will have learned the indispensable necessity of union, in order to roll back the tide of its usurpations, and so change the policy of the government that it shall cease to make the support of slavery an object of special and paramount regard. If the North, for the sake of peace, shall submit to annexation, the South must submit to the legitimate and inevitable consequences of thus forcing, everywhere, an investigation of the merits of slavery, and a thorough exposure of the impossibility of long maintaining a Union, embracing the hostile and irreconcilable elements of slavery and freedom.

I have received from the Executives of several of the States, resolutions of their respective legislatures, touching the subject of annexation, which I shall hereafter communicate for the consideration of the General Assembly.

Among the papers received from the Executives of other States is the solemn Declaration and Protest of the Commonwealth of Massachusetts, against the laws of South Carolina, under which, colored citizens of Massachusetts are arrested on board her ships in the harbors of South Carolina, under which, colored citizens of Massachusetts are arrested on board her ships in the harbors of South Massachusetts are arrested on board her ships in the harbors in South Carolina, imprisoned in the jails of that State, and sold into perpetual slavery, in default of their commanders to give bonds to redeem them and to pay the expense of their detention – all which Massachusetts assets is in violation of that clause of the Constitution of the United States, which declares that "the citizens of each State shall be entitled to all privileges and immunities of citizens in the several States."

To protect her citizens from the execution of these laws, Massachusetts commissioned one of her most distinguished citizens to proceed to South Carolina, for the purpose of instituting such process as should bring the question of the constitutionality of these proceedings before the Supreme Court of the United States. It is a matter of history, that the agent, on appearing in South Carolina, for the purpose of executing a commission, thus looking to a peaceful and orderly appeal to the appropriate judicial tribunal, was driven away by threats of personal violence of a mob; and that subsequently, the legislature sanctioned the act of the mob by making an order "to expel" the agent from the State. Against this, also, Massachusetts protests.

I have received from the Governor of South Carolina, the proceedings referred to, of the legislature of that State. I have also received from the Governors of the States of Arkansas and Alabama, resolutions of the legislatures of those States, approving the outrage committed on the agent of Massachusetts; and from the Governor of Connecticut, resolutions of the legislature of that State, declaring that the act of South Carolina is "a palpable and dangerous violation of the national compact." I shall hereafter transmit these papers with others on various subjects, received from the Executives of other States, for the use of the General Assembly.

I have made this special reference to the proceedings of South Carolina, for the purpose of bringing them into immediate connection with the kindred subject to which I have, at some length, invited your attention, and of submitting to you the propriety and duty of a full consideration of these extraordinary proceedings, and an expression of the sense entertained by the General Assembly of the State, of their true character and tendency. It would seem evident that the Union cannot be maintained, if peaceable attempts to appeal to the appropriate judicial tribunal for the settlement of great constitutional questions, involving the relative rights of the States, are to be put down by mob violence, and the added sanction of the legislative authorities.

It is worthy of remark, that, upon an attempt by South Carolina to enforce the same laws against colored British subjects, and the remonstrance of the British government to that of the United States., South Carolina desisted; and yet she rigorously enforces them against on of her sister States, and adds the extreme aggravation of rudely expelling from her territory an agent of that State, rather than allow him a residence long enough to perfect the process of submitting the question of difference to the decision of the constitutional tribunal.

Several of the slave States, it is understood, have laws on this subject, similar to those of South Carolina. Their enforcement in Louisiana induced the Legislature of Massachusetts to send and agent to that State for the purpose of instituting a similar process, who was also driven from the State by threats of mob violence.

If slavery cannot exist without the protection which such an exemption from constitutional law will give it, then it is evident that slavery and the constitution are at irreconcilable variance. Massachusetts has forborne to retaliate, and contented herself, for the present, with a solemn protest and appeal to the world and impartial posterity, against these acts. But it is unreasonable to suppose that there will be no limit to forbearance; or that the Union can always withstand the power of such attempts to rend it asunder.

The question of protection to labor, in its otherwise ruinous competition with the starved and cheapened labor of other countries, continues to be one of undiminished interest. Indeed, its interest has increased, as efforts to give ascendancy to free trade principles have become more active and systematic. Of the existence of such activity and system, we have but too conclusive evidence, in all the indications, official and semi official, of the new administration. It is given out, in ways not to be misunderstood, that the head of the financial department is industriously engaged in maturing a plan for reducing the tariff to the "revenue standard." What that standard is, in the opinion of the school of political economists to which the Secretary belongs, may be gathered from a very elaborate report of the Committee of Ways and Means of the House of Representatives, at the first session of the 28th Congress, in which it was declared, that –

"Every duty is to be considered and is properly denominated a revenue duty, the rate of which yields the largest amount of revenue from the importations of the article upon which it is imposed; and every duty is to be considered and is properly denominated a protective duty, the rate of which is so high as to diminish the amount of revenue derived from the importations of the article upon which it is imposed, and the rates of which require to be reduced, to increase the revenue. And when a given amount of revenue is desired to be raised upon any given article of importation, the committee regard the *lowest rate of duty* which will effect the result, as *the true and legitimate revenue duty*." The committee add – "the protection afforded by a protective tariff, according to the same definition, is direct and positive – operates to diminish or destroy the revenue and constitutes an exercise of the power to lay and collect duties, entirely indefensible in principle and policy.

It thus appears that "direct and positive protection" – that is, protection which has the effect to diminish revenue from any given article, is entirely indefensible in principle and policy – the only allowable protection being that which is "incidental" to a revenue duty – that is, incidental to that duty which, without any reference to protection, will yield "the largest amount of revenue from the importations of the article upon which it is imposed."

The mere statement of this doctrine is sufficient to show that it strikes a fatal blow at the principle of protection because that rate of duty can, obviously, furnish no stable protection, which is made to depend, not on the degree of protection it will furnish, but on the amount of revenue it will yield – since it is well known that a rate of duty on a given article, which will yield little or no protection, may be the very rate which will yield the most revenue. There is not a protected interest in the country that can stand a single year, under the application of such a principle as this.

The true principle may be thus stated: A tariff which, while it shall, in the *aggregate* of its duties, yield the amount, and no more than the amount, needed for the treasury, shall be so adjusted, in its details, as to as to throw so much of that aggregate upon articles needing protection, as to give the protection needed – the balance being thrown upon articles needing little or no protection.

It is against the principle of a *revenue* duty with incidental protection, in the Protean shapes it will be made to assume, that we are doomed to contend; and it is a contest with fearful odds, when we take into account the power and influence of the new administration, aided by the deceptive application of the sliding rule of *protection incidental to a revenue duty.*

Nor is this the only aspect of the danger. The Secretary of the Treasury, whose purpose to destroy the protection afforded by the tariff of 1842 is not attempted to be concealed, is engaged in the unprecedented work of collecting, without the authority of Congress, and by replies to certain questions propounded to

manufacturers and others, to be answered without oath or cross-examination – information, to enable him to carry his destructive purpose into execution.

Vermont has too deep an interest in the great question thus about to be forced to a fearful and perilous issue, to remain indifferent or silent. It is due to the great value of our interests involved in the true principle of protection, that we thoroughly scrutinize the false principle of protection, that we thoroughly scrutinize the false principle on which, by a combination of its pretended friends with its open enemies, protection is to be made to rest. The imminency of the impending danger would seem to call for a decided expression of the General Assembly on this subject.

I have received from the Corresponding Secretary of the American Peace Society a communication on the subject of Peace, with a request that I would lay it before the General Assembly. In compliance, I send herewith copies of the communication for your consideration. This request appears to be part of a general movement of that Society to impress upon the rulers of States and Nations the duty of reconsidering the question of war, as it stands connected with the temporal and spiritual interests of men, and to inculcate the importance and practicability of superseding its supposed necessity by the principle of Arbitration, applied to nations as it now is to individuals.

It would seem necessary to do little more than to announce this object, to secure for it the favorable consideration of the rulers of every Christian people. War is the greatest of all the calamities that ever afflicted the human race; and yet the world, after having been involved in its crimes and felt the terrific sweep of its desolations, for near sixty centuries, seems but just awaking from the delusion that it is necessary, and consistent with the spirit and principles of a religion whose all-pervading element is love.

Our own country, more, perhaps, than almost any other, needs this awakening influence. The freedom happily enjoyed by our people, seems to engender the restless spirit favorable to war, while it receives additional impulse from the popular appeals incident to our system of free suffrage – appeals made, often, by men who love distinction and excitement more than their country, while their appeals act on minds in no condition, from the association of numbers and other causes, to feel their true individual responsibility for the crimes and consequences of war.

The maxim "In peace prepare for war" is moreover a standing excitement to war, performing the double office of provoking aggression, and prompting inconsiderate and rash resistance to it. The state of society in the Southern and South Western portions of our Union is an illustration in private life, of the practical results of this maxim – so apparently just, and yet so really questionable.

There is, however, a preparation for war, which does not invite it. It is the preparation of simple, open-hearted, uniform fairness and justice, the exhibition of a stronger solicitude to do right, than to exact it from others; and a sensibility, which habitually feels that the stain of dishonor is inflicted not by suffering wrong, but by doing it. The nation who shall cultivate this spirit – who shall fairly gain the reputation of *The Just*, will possess a defense, in an age ruled, as this is beginning to be, by enlightened public sentiment, more sure and effective than the power of fortifications, and armies, and navies, combined, can give.

But while the spirit of peace and scrupulous regard to justice, will, by their silent influence, check, if they do not entirely subdue, the spirit of aggression, they will not, necessarily, prevent the occurrence of international differences, nor, in the present, if in any future state of the world, supersede the necessity of some formal provision for their adjustment. This necessity suggests a resort to the principle of Arbitration, and the introduction into treaties between nations, of stipulations to that effect.

It is to the furtherance of this object, by acting on the public sentiment of our own country and the world, that the American Peace Society solicits the action of the General Assembly of this State; and I could hardly be invited to the performance of a more grateful duty than to become the medium of asking your attention to it, and recommending, as I do, such action as may, in your wisdom, most effectually lend the influence of this State in furtherance of this great movement of peace on earth and good will towards men. The government of the United States has already, in three memorable instances, submitted matters of difference with other nations to the

arbitrament of friendly powers – in two of them, with results which have been effectual to the settlement of the differences submitted.

I must be permitted to add an expression of the sense I entertain of the great value of the efforts of the friends of the peace, through the organization of peace societies, in dispelling the delusion so long prevalent in regard to war, exposing the anti-Christian principles on which it has so long rested, and showing the extent to which it has paralyzed the industry, wasted the wealth corrupted the morals, brutalized the passions, blasted the hopes, and vitally injured the highest interests of men. The results, thus far, of the quiet and persevering efforts of this association, has furnished a most gratifying illustration of the silent power of truth, in the hands of Christian benevolence, to reform and save the world.

It only remains for me to tender to the General Assembly my hearty cooperation in every wise and well directed effort to promote the public good – trusting that we shall all feel how much we need the wisdom that comes from above, to enable us to comprehend the true character of that good, and direct us to the adoption of measures best adapted to ensure its successful accomplishment.

WILLIAM SLADE

EXECUTIVE CHAMBER,
October 11, 1845.