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The Age

Freedom of Inquiry and the Power of the People.

VOLUME V. WOODSTOCK, THURSDAY EVENING, OCTOBER 21, 1841. NUMBER 202.

POLITICAL.

GOVERNOR'S MESSAGE.

Fellow Citizens of the Senate and House of Representatives: We are assembled in the character of Representatives of the people, to consult upon their interests, and to execute their will. It becomes us on entering upon our duties, first of all to carry our minds up to the author of our being; to acknowledge Him as the rightful source of our authority, and to make His will the measure and the motive of our duty. If, in all our ways, we should acknowledge Him, we should especially do so, upon becoming invested with powers, whose appropriate exercise requires, eminently, the wisdom that comes from above. Our responsibility is, immediately, to the people whose servants we are, but, ultimately, to Him who will judge both the people and us. We come together under circumstances of peculiar favor. The season has been crowned with blessings. Our fields have yielded an abundant harvest, and our people have been exempted from wasting disease. Labor has been protected and rewarded; and peace reigns within our borders. We are blessed with the steady and impartial administration of justice, and continue to enjoy the invaluable privilege of selecting, by our free suffrages, those who shall make and execute our laws. Among the first duties you will be called on to perform, is that of selecting men to fill the judicial and executive offices of the government, which the constitution has wisely committed to your hands. From among such a people as this, there can be no difficulty in selecting men of upright minds, of pure morals, of tried integrity and of sound intelligence, to fill the various offices within your gift. The power of office, and the power of personal example and influence, can never be separated; and he bears the sword of justice in vain, who counteracts by the one, what he endeavors to enforce by the other. But your principal labor lies in the broad field of legislation. We are selected and sent here from among the people; with whose wishes and interests we ought to be thoroughly acquainted, and whose welfare should be the end and aim of our legislation. The government which, by their suffrages, has been committed to us, is their government—"instituted," in the language of our bill of rights, "for the common benefit, protection and security of the people, and not for any particular emolument or advantage of any single man, family, or set of men." The highest good of the people, and of all the people therefore, it is our great business to secure. The establishment of justice, in the perfect protection of rights, is the primary end of government, and, in its broad and comprehensive bearings, embraces a very large portion of all appropriate legislation. But there is a field beyond this. The beneficent action of government may, and ought to be felt in the promotion of virtue, in the suppression of vice, in the diffusion of intelligence, in the development of mind, in the encouragement of industry, and in the drawing forth from the earth, which God has given for our temporary habitation, its terming riches, to make them subservient to the purposes of their gifts, in the wisdom and goodness of their great Author. In short, it is the duty of government to perfect by wise, discreet and timely action, the great purposes of the social organization. In surveying the field of our duties, there would seem to be no subject claiming higher attention than that of Education. This subject has been repeatedly brought to the notice of the Legislature by my predecessors, and several legislative reports have been made upon it. The result of a report made in the year 1831, was, the appointment by the Governor, of a committee who presented to the legislature, at the following session, an elaborate, and able report, containing facts and suggestions of great importance. I commend that report to your consideration. Improvement is the great law of our individual and social existence. The means of it are furnished, in a greater or less degree, to all; and all, whether individuals or communities, are accountable for the right improvement of them.—This accountability rests, with peculiar weight upon us, in connexion with the subject of education—vitality connected, as it is, not only with our individual well-being, but with the preservation and perpetuity of the institution we are permitted to enjoy, and required to transmit to our children. These institutions will, inevitably, take the character of the people, whatever that character may be.—The best constitutions of government can interpose but a feeble barrier to the corrupting influences of ignorance and moral debasement. Their beautiful and solid structures will sink and crumble, when they shall cease to rest on the foundations of public and private virtue and universal intelligence. This obvious truth is full of instruction to those upon whom rests the responsibility of making laws. Their duty is but half performed when they have made laws to govern the people. It is a higher and more difficult duty to adopt a system of legislation which shall have the effect of making the people a law, and a good and safe law to themselves. The most efficient laws are those which govern, not by the power of the sword, but by the silent influence of virtuous and enlight-

ened principle. To educate a people, then, becomes an indispensable part of legislation—an appropriate and necessary instrument for executing the laws—an instrument far more efficient than the strongest military force; while at the same time, it gives to a state high-minded, virtuous, intelligent men, to become its strength, its defence, and glory. But what is education? It is not merely the learning which lingers the brain. It is the discipline of the mind and the heart, developing their capacities, strengthening their powers, and training them to practical usefulness. Our children should be learned to think—to discriminate—to feel the conscious power of cultivated intellect, and the purifying, and elevating influence of Christian principle. And this education should be universal, reaching the humble hovel as well as the spacious mansion, and thus bringing out the children of the poor and the rich, to drink together at the enlarged fountains of knowledge which we should open for all. To accomplish the purpose of educating this whole people, in a manner suited to sustain our free institutions, we obviously need a more elevated standard of common school instruction. There is too wide a chasm between a liberal and a common education. The higher should not be brought down, but the lower raised. Great political responsibilities rest on our people, involving the necessity of a high state of general intelligence. They are to judge not only of the personal qualifications of candidates for office, but of the character and tendency of measures, and the force and bearing of great principles. They must be able to correct errors of fact, detect false reasoning, and put demagogues to silence. And the road to distinction should be made broader. We want in high public stations more men who have been trained to maturity amid the scenes of ordinary life. Industry, patience, perseverance, common sense, sympathy for the laboring classes, contempt for the mere distinction of office, and a love of the noble objects it gives the power to accomplish—these are among the fruits of an intellectual and moral training amidst the labors and trials of common life. The mass of mind, as it comes up to maturity, may, by a proper system of education, be disciplined to a vigor, and furnished with an amount of knowledge, fitting for almost any station, not involving the necessity of professional skill for its success. I do not undervalue the higher seminaries. They must be sustained—established upon solid foundations—placed beyond the reach of embarrassment and want. They are important, not only to train instructors, and fit men for the learned professions, but to maintain a high standard of education in a community.—They are like the sun shining in his strength and giving light and heat to the bodies by which he is surrounded. But if we would sustain them, let us elevate the standard of common education, for in proportion as that is done, will the higher institutions be more valued, and more liberally patronized and endowed, while there will be throughout the community, a greatly increasing thirst for the water that comes from these deeper and purer fountains. The great desideratum in regard to common education is, improved modes of teaching—modes by which the hitherto great waste of time may be avoided—the mind stimulated to activity—trained to habits of self-relying effort, and learned to "go alone," as it shall be thrown upon its own resources, amid the labors and responsibilities of practical life. Time waits not the sluggish and inefficient movements of false methods of teaching. It bears our children rapidly on to manhood, prepared or unprepared for the great duties of life. But as we double the power of human energy by new processes in agriculture and the mechanic arts so may we double the value of the allotted time for education. We are eager to avail ourselves of the augmented power to gain wealth through the wonderful discoveries and improvements of this age. Rail roads augment the value of every thing they touch or approach, and we are, therefore, awake to their importance; but are there not more wonderful developments to be made of intellectual wealth by improved modes of education? Shall other improvements go on, while this stands still? Are the mind and heart of a people of less importance than the materials of wealth in the earth they inhabit? Shall we carefully improve the breeds of our animals while we neglect the improvement of man? If he is esteemed a public benefactor who makes two blades of grass grow where one grew before, is not he a greater, who devises a means for doubling the productive power of the mind of a people? And now is presented the great inquiry—By what means shall the needed reforms be effected in the management and instruction of our common schools? This is, practically a difficult question. The first thing to be done evidently is, to ascertain the present condition of our schools in regard to the precise defects in the modes of instruction, the character of the books used and the general standard of qualifications of teachers. Though we have doubtless many good teachers, there is, in general a manifest deficiency in this respect. Nor should this surprise us. It would rather be surprising if, under our present system—if system it can be called—the standard of qualification did not fall far below what it should be. Teaching is, generally, but a temporary resort, either to obtain the means of an education, or of embark-

ing in other pursuits. It should be a profession, as honorable as it is responsible. There will be good teachers when we shall mature a common school system which shall create a demand for, and furnish the means of rewarding them. There should be, furthermore, an examination into the condition of the school houses, in reference to their size, seating, ventilation, warmth, location, and the grounds connected with them. Information on all these points should be embodied and brought out, in order to awaken the public attention to the necessity of vigorous and systematic efforts for reform. And this must be done under legislative authority, by persons competent to an inspection, and to the making of its results intelligible, and useful, as a basis of future action. Such investigations have been the first step in the prosecution of educational improvement in the states of Connecticut, Massachusetts and New York, producing, within a few years, great and beneficial results in these states. Will Vermont longer hesitate to follow their example? On you rests the responsibility of deciding this question. I would not urge too hasty and headlong efforts at improvement. Gradual progress is the law of advance to sound and vigorous maturity in every thing. But there can be no advance without a beginning. How shall this beginning be made? is a question for immediate consideration. The exploration suggested, to be of any avail, must be uniform, universal and thorough. To make it such, compensation is obviously indispensable. We have once tried it without, and failed, and without it we shall fail again. There must be an efficiency which the responsibility of accepting a trust with compensation, can alone secure. By what agencies the work shall be done, it will be for your wisdom to determine. It will be worthy of consideration whether they may not be such, in part, as shall be needed for the general supervision necessary to carry forward and perfect a system of educational improvement; such for example, as a board of commissioners as in Connecticut, or of education as in Massachusetts, or a general Superintendent of common schools with County Superintendents, as in New York. There may be advantages worthy of consideration in the direct and undivided responsibility of a single general Superintendent, while the County Superintendents may well be supposed, from the range given for their selection, to be fully competent to exercise the rigid supervision, and make the suggestions of improvement indispensable to progress. This corresponds somewhat with the Prussian system of superintendency, as described by the Secretary of the Massachusetts Board of Education in the late report of his visit to Europe, for purposes connected with education. The kingdom it appears from the report, is divided into circles or districts, in each of which there is "one or more school commissioners or inspectors, selected from the most talented and educated men in the community—such as would be appointed presidents or professors in colleges, or judges of the higher courts. The whole Prussian system," says the author of the report, "impressed me with a deep sense of the vast difference in the amount of general attainment and talented devotion to the cause of popular education in that country, as compared with any other country or state I have ever seen." Over all the other functionaries entrusted with the execution of their system, is the Minister of Public Justice, who is a member of the King's Cabinet.—"Such has also been the case in France since the late organization of their system of public instruction." Under the New York system, it is the duty of the County Superintendents to visit the schools in their respective counties, consult with the teachers, and town superintendents, deliver lectures on education, and endeavor to awaken an increased interest on the subject of common school education. These latter requisitions form a very important part of that system; as it is obviously vain to attempt to reform unless the people can be brought to take a deep interest in it. There must be the co-operation of an enlightened public sentiment, or nothing will be done.—We may legislate; but after all, little can be effected merely by the high pressure of legislation. It must be adapted to awaken, and concentrate, and give effect to the energies of the community. And what cannot Vermont accomplish in this matter if she shall undertake? and what motives to undertake, and to persevere, can be compared with those which are connected with the vast results of the mental and moral training of her children? The carrying out, and perfecting, of an adequate system of educational improvement will of course, involve ultimately, a considerable expenditure; but as the necessity for it shall arise, will the gradually unfolding benefits of the system make the contributors to sustain it, easy, and their burden light. The expenditure on the part of the State, necessary to commence the system, through the agency of a State Superintendent, and county Superintendents, need not be great—not much greater, in the language of the report of the committee to which I have referred, than "the people of Vermont have paid annually for killing foxes." Vermont has an enviable name abroad. Let her maintain it. Let her emulate the efforts of New York, Connecticut and Massachusetts. She ought, indeed, to go beyond them. No State in the Union has such a material to work upon,—none that can be wrought into more beautiful and

durable monuments of public beneficence and liberality. In respect to the ultimate expenditure that may be needed for the purchase of district school libraries, and chemical and philosophical apparatus and globes,—for making provision in the colleges and academies, or in separate institutions, for the teaching of instructors, and for aid in the repairs and construction of school houses—we may hope that we shall, at no distant day, possess ample means, in our distributive share of the proceeds of the sales of the public lands. It would be an appropriation worthy the noble inheritance of freedom which, with a large portion of those lands, was bequeathed to us by our revolutionary fathers. It was, indeed, a benevolent and fitting arrangement, in the order of Providence that the same severance from the parent country which gave us independence, gave us, also, a great domain, capable of dispensing so widely the blessings of education, and of rendering this nation a model of virtue, intelligence, and good government for the world. I have dwelt longer on the subject of education than may, perhaps, be deemed appropriate for an executive message; but its very great importance must be my apology. It is, in my judgment, of more importance than any other subject that can possibly engage the attention of the legislature. A consideration of the means of developing the mind of the State naturally suggests the idea of developing the riches of its minerals and its soils. My predecessors have frequently recommended a geological survey of the State, in which I fully concur; and invite to the subject your special attention. If we would develop mind and apply it to its great purposes, we study and analyze it, that we may understand its capacities and powers. This should we do with the soil we inhabit. Here we are in its daily cultivation, drawing from it our support; and shall we remain ignorant of its defects and the means of supplying them, only as tardy experience shall disclose them to us? We want scientific, thorough, universal examination of the various soils of the state, involving a complete analysis and classification of the whole and such an exploration as shall reach if possible, all the fertilizing substances which can be made available for the amelioration of our soils, and the stimulating them to their highest practical power of production. There are localities where the discovery of a bed of limestone would be more valuable than a mine of gold.—The same may be said of marl, gypsum, peat and other substances, appropriate, either singly or in combination, to supply deficient elements in unproductive soils. It is hardly necessary to speak of the probable development of mineral resources of which we have an earnest in our iron, copper, silver, manganese, and other mineral treasures. It is needless to say that such results will not be brought out except under examinations effected by legislative authority, and at public expense. Such examinations have been made by other States; and the results are before the world. I mean the immediate results; for the great practical results are yet to come forth in a mingled mass of benefits, spreading themselves over the surface of our country, while there is a soil to yield its fruits to the labors of man. By inquiries made two years ago, I learned, that, at that time, geological surveys had been authorized in every State in the Union excepting Vermont, Alabama, Mississippi, Louisiana, Arkansas, and Illinois. The lone position of Vermont in this classification, is somewhat striking.—It is for you to say whether we shall remain in this position any longer. This subject derives great additional importance from a consideration of the emigration which has, at some periods, rapidly, and still does, to a considerable extent, drain the population of our State. If we would retain our people at home, let us show them what Vermont is, and what it is capable of becoming, as an agricultural State. If the people could fully perceive the importance of a geological survey, I doubt not, they would esteem it a privilege to be taxed at once, to an amount sufficient to complete the work. The whole expense of completing, and publishing a survey, would not, probably, involve a burden exceeding three cents upon each individual in the state; which might be spread over two or more years should it be deemed expedient. This subject is invested with still further importance from the fact, that railroads are approaching our State—at no distant day, we may hope, to pass through it—which will greatly enhance the value of our agricultural, as well as our mineral productions. Let us prepare to throw into these improved channels of communication with the great markets of the world, the productions of a soil, quickened by the application of its present power, and cultivated with the augmented energy which facilities cannot fail to excite. In the exercise of that care which regards the interests of all, you may not deem it inappropriate or unnecessary, to consider, whether additional legislation is not required for protection against the extension of unlawful interest. Our law relating to this subject declares that interest shall be limited to the rate of six per centum per annum; and provides for the recovering back, in an action for money had and received for goods sold and delivered, of any amount paid above that rate. It is worthy of consideration whether the remedy ought not to be extended, so as to authorize a recovery of the amount thus paid, by a proceeding in chancery.

The law has, in effect declared the taking of interest above six per cent. to be a wrong; but it has provided no adequate remedy for it. The remedy, by the process provided in the statute, is practically no remedy at all, for in no cases can it be made available, those in which accident shall enable a borrower, whose necessities have compelled him to submit to the illegal exaction, to prove by common law evidence, what so much pains are always taken by the lender to conceal, and which the borrower, in the agony of his necessity, is willing should be concealed.—Does not consistency of legislation suggest the propriety of either repealing the law in question, or authorizing its enforcement by a process suited to the case, and indispensable to give the law effect? To do this by the process suggested, would seem to be liable to no valid objection. This is a subject of much general importance. The manifest tendency of the practice of exacting unlawful interest is, in the first place, to beget a contempt of the law, and sharpen ingenuity for its evasion, the general tendency of which is extremely pernicious,—but, in the second place, and mainly to increase existing inequalities in the condition of the people,—to make the rich richer, and the poor poorer,—to leave the necessitous to become the victims of the temptation to borrow on long credit, upon an interest which seldom fails to complete their ruin. Notwithstanding the facilities for bank accommodations—a mode of borrowing which begets habits of promptness, and cherishes a sense of honor highly useful to the community—it is believed that the practice of bearing upon unlawful interest, prevails to an extent, and produces results, which may well claim the earnest consideration of the legislature. The subject of licenses for the sale of intoxicating liquors, has come to occupy so much of the public attention, and involves a question of such deep interest to the community, that I cannot deem my duty discharged without inviting your attention to it. It is a principle fundamental in our government, that it is instituted "for the common benefit, protection and security of the people." The correctness of this principle, asserted in our bill of rights, will, of course, be conceded by all. In regard therefore, to the act of the government in licensing the traffic in intoxicating liquors, the great question would seem to be, whether such traffic is for the "common benefit." This question is, at present, in effect, submitted to the decision of the courts in the several counties, though whom alone, licenses can be granted. There seems, however, to be a prevailing sentiment that the power of license should not remain in the courts, but that it should in some way, be brought nearer the people. In this sentiment I concur. The people are the source of power. They know whether the traffic in question is for their benefit, and are fully competent to decide the question for themselves, without the intervention of the judicial tribunal. It is submitted to you, therefore, whether it be not practicable to make satisfactory provision by law, for sending the question of licenses directly to them, and thus relieve the courts and the legislature from further trouble on the subject. Whether any, and what provisions shall be made, your wisdom will determine. It would avail ourselves of the benefits of experience, which is always useful to consult, we have an example in Massachusetts, which it may be wise to consider. The experiment of committing the whole subject to Commissioners, appointed by the people in the several counties, with authority to grant licenses to such extent as they may deem the public good to require, seems to have given general satisfaction in that state.—Should this be deemed an appropriate mode of giving effect to the people's wishes, it would aid the important purpose of removing the elections of Commissioners in the several counties as far as possible from the disturbing influence of party politics, to have them holden on a day devoted solely to that object, and as far removed, in point of time, from every election, as the question itself ought to be separated from, and elevated above, the party contests of the day. There is another question connected with this subject, which seems to demand attention. It has been decided by the Supreme Court that justices of the peace have not jurisdiction of offences against the licenses laws. County courts, therefore, have exclusive jurisdiction; and the result is, that in practice, prosecutions for such offences are instituted, but once in each year—grand jurors being no officer summoned, and states attorneys, I believe, seldom, if ever, in such cases, filing informations. The obvious difficulty of reaching by such an annual process, all the violations of the licenses laws; connected with the fact that the maximum of the penalty is but ten dollars, would seem to justify the propriety of either giving the jurisdiction to justices of the peace, or of making provision that they may bind over offenders with the witnesses, as often as the offences shall be committed. If we are to have laws on this subject they should be enforced. Every good citizen must desire this, whatever may be his opinions on the question of temperance. Better, for better, to have no laws, than to permit them to stand on the statute book executed since there is thus added to the prohibited, and yet permitted evil, that other great evil of a practical denial of the rightful supremacy of the law. I have been furnished in advance, with copies of the eighth annual reports of the Trustees and Superintendent of the Vermont Asylum for the Insane. From these reports it appears, that during the last year 232-patients have enjoyed the benefits of the Asylum—191 have been admitted to it, and 74 discharged and that 151 remain. Of the discharged who had been insane, not exceeding six months, 89 per cent. have recovered; while of those whose insanity had been of longer duration, the proportion of the restored has been but 34 per cent.—showing, what should be universally known, the great importance of early efforts to secure for the insane the benefits of the institution. The reports show that inveterate cases, supposed to be beyond the reach of perfect cure, may be very greatly ameliorated. Several touching examples of these are given in the report of the Trustees, in which