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R'S MESSAGE.

State
Houses of Representatives:

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Speculative writers, on the nature and proper elements of free government, have agreed that civil rights and political power can only be safely extended to the mass of any people, when general intelligence and pure morality have been widely diffused, and exert a controling influence. Then moral and intellectual education are the means, and the only means, by which free government can be perpetuated.

In the State of Mississippi, every free white male person who has attained the age of majority is armed with the right of suffrage. The fundamental law, and therefore the general legislation of the State, have all been made to present a similar aspect; they each regard all men as equal, and seek to extend to all an equal portion of power in the arrangement and conduct of public affairs. In such a system of government it is obvious that education combining both moral and intellectual culture, is a matter of primary public interest. which requires and even demands the assistance and fostering care of the government of the State. Education in republics or free governments, is not merely the ornament of the political edifice: it is the foundation on which it stands. Indeed it is demonstrated by reason and experience and by the history and science of government, that education is the basis, the main pillar and brace which supports, maintains and perpetuates republican government, and that without education, the fair and ever to be adored fabric of free and republican government, must crumble into ruins, and must crush in its disastrous fall, not only those who, in false and fatal security have taken up their abode within it, but also may blast for ever, the last prospect of the votaries of liberty and free government throughout the world. Then, education is indispensible to free government. I am satisfied beyond reasonable doubt, that wide diffusion of moral and intellectual education imparted to the masses of the people of the United States, and the controlling influence which the same exerted over their actions and conduct, not only established, but also perpetuates the civil policy which has so long and so happily prevailed in the federal and state governments.

The conflicts of opinion and the collisions of apparent adverse interests which do and never may be expected to arise, under our form of government, extending as it does its dominion over a large and extended territory and a great variety of pursuits, have, in the United States hitherto been adjusted by enlightened public opinion, exercised through the medium of the elective franchise and the tribunals established by the constitution and laws of the land. Even the occasional threats of armed resistance to alleged wrongs, which have occured in the United States, have uniformly been condemned by an enlightened and dispassionate public judgment, always speedily and happily suppressed and terminated without destructive conflict. Far different is the history of our neighboring republics. There the fierce civil wars that have raged and still continue, with unabated fury, arising, as I suppose, from their attempt to reconcile order with freedom among people, the great mass of whom are uneducated, ignorant and immoral, presents to the mind a striking contrast to the peaceful and more eminently successful means by which all the legitimate ends of good government have been accomplished and perpetuated by the people of our republic. In my opinion the difference in the progress of the two people, inhabiting the same continent, will be found to have its origin in their widely different moral and intellectual education.

I consider the establishment of schools and the promotion thereby of education in the United States, to be the only sucessful mode of perpetuating the present form of government, and that the adoption of this mode is as imperative a duty upon the administrators of the federal and state governments, as is the duty to support and maintain the constitutions of the respective governments. Without the promotion of education, free government from its nature and ingredients, and being founded upon morality and intelligence cannot be successfully maintained.

The government of the United States has not been unmindful of the important duty enjoined on it by the form of the government, as to the subject of education. That free schools might be established and the education of the youth might be promoted, the United States has donated, or at least reserved, in all the new States, to the people of each township one section of land, and for the purpose of establishing higher grades of schools, for instance, colleges and a university, it has made liberal donations. The United States having performed its part, with some show, at least of liberality, it now remains for this State to consummate the great work. It is useless to expect to promote education without some cost.—Education is important to the private interests of the citizen, and is a vital principle and an indispensible ingredient in a republican form of government, and cannot, from its nature, be obtained without a cost in some measure corresponding to its utility and value. No pecuniary aid has been extended to education by legislation in this State. The legislature has heretofore entrusted this important subject to the management and to the voluntarily contributions of the citizens of the State, aided alone by the reservations and donations of the federal government. Under this system education has succeeded to some extent, even far better than could have been expected from such a crude and imperfect system, owing, as I suppose, to the liberal voluntary contributions of the citizens of the State. Yet it has not succeeded so well as is desirable by all good citizens, and especially the votaries of free government. There is a great number of individuals in this State, who are uneducated. The census returns of the year A. D. 1840 shows, that at that time there was about one fifteenth of the whole free white population of the State who had passed the age of twenty years, who could not read and write. This must impose a pang of regret on the reflections of the philanthropist and patriot.

I suggest to the Legislature the propriety of altering the system (if it can be called a system as it now exists in this State) and of remedying the crying evil of neglecting the education of the youth of the State, and also the propriety of extending pecuniary aid to the system adopted. It is the solemn conviction of my mind, that it is one of the highest and most imperative duties enjoined on the Legislature, without delay, to establish a general system of education in the State and to support that system with pecuniary aid from the State. I feel that it is an imperative, high and sacred duty, enjoined upon me by my official station, to present the subject of education in strong terms, to the consideration of the Legislature. Although the suggestion may be considered rash, even indiscreet, by some, yet as this message will in all probability, be the last official act which I shall have the honor to perform in the Legislative councils of the State, I feel under the most sacred obligations to present the subject, so as not to be misunderstood, and to urge its consummation. I therefore cheerfully make the suggestion and fervently hope that it may be carried out.

As a mode of establishing schools and promoting education in the State, I suggest to your consideration the propriety of establishing a common and primary free school, in each and every inhabited township in the State, under the direction of the law, and the Boards of County Police of the respective counties, or such other persons as may be designated by the law, for six months in each year at least, and of levying a tax on the persons and property of the citizens of the State sufficient to defray the reasonable expenses of such schools when added to the profits arising from the school lands in the respective townships. It is universally admitted that education should be promoted. It is desirable that this should be done in the cheapest successful manner. I have suggested this mode believing that it will promote education more successfully and at less expense than any other mode. If would not presume to contend that the mode suggested, is without objection, but I flatter myself that objections, which may be urged with apparent force and justice, will yield upon investigation.

As I apprehend that the great objection that will be urged against the mode suggested, will be owing to its cost, and the burdens which it would impose on the people, I would anticipate such objection and presume to controvert it. I am free to admit, in the outset, that the people of the State at present, labor under heavy burdens. I shall contend and endeavor to demonstrate that it will not increase the burdens of the people but on contrary, that it will diminish them. The objection would be removed, if the amount voluntarily contributed by the citizens yearly for the purposes of education could be accurately ascertained: this however cannot be done. I conjecture that the aggregate contributions of the citizens both within and without the State, would greatly exceed a million of dollars per year and that one half or more of the amount is annually expended in this State. By reference to the census returns of the United States of June, A. D. 1840, we have some data from which to ascertain the number of persons subject to tuition from their age; and by estimating the cost of that number, by the ordinary tuition, we can come to a correct conclusion what that number of students should cost annually.—We find by reference to such census returns, that the number of persons in the State, who are over five years of age and under fifteen years, and who on account of their age, should be scholars or students at school, is 49,886. Upon the supposition, that the tuition of each of this number costs one dollar per month, and $12 per year (which is a very low estimate) the aggregate tuition of the whole, would amount for one year to $598,632, and for six months, one half of that sum, amounting to $299,316. This shows pretty accurately what has been, or at least what should have been the amount of tuition for the year and for six months, and therefore what the voluntary contributions of the citizens did or should, heretofore have amounted to. In the mode suggested by me, upon the supposition, that each county in the State contains twenty inhabited townships and upon the additional supposition that it would require $400 for each year, when added to the proceeds of the school lands of such townships to defray the expense of a school in each township, and one half of that sum ($200) for six months of each year, (which is a large estimate, and would probably defray the expenses of a school in a majority of the townships for one year,) the number of schools would be 1,140, and would cost annually a tax amounting to $456,000 and for one half of that time (six months) for each year, one half of that amount say $228,000. Upon this hypothesis it will be found, that the mode suggested by me will furnish 1,140 schools per year at $143,632 less cost than the present system does, or should if the pupils or persons who should be, are educated, and would furnish the same number of schools for six months of each year at $71,316 less cost than the present mode. Besides the mode by me suggested would reduce tuition from $12 per year to a fraction over seven dollars per year. Then the mode suggested by me would, instead of increasing the burdens of the people, greatly diminish them. If so, none would object to the mode, who would not desire the burdens of the people to be continued.

Others may urge other objections for instance, that taxes would be imposed on some without a corresponding advantage. This may be true in a penurious and limited sense. It is true that some would have to pay school tax, who have no children to educate. This would be an expense without profit, to some extent, but in an enlightened and just view of the subject the whole community, as well those who have not, as those who have children to educate, would be benefitted. Education diffused extends protection to the life, liberty and property of the citizens, by causing peace, quiet and stability in the government, this besides guaranteeing liberty and making life more desirable, enhances the value of the property of the citizen greatly beyond the amount of tax required to defray the cost of education.

Some additional advantage would be attendant on the mode suggested, and which would not and perhaps could not be enjoyed without it. For instance, education would be brought within reach of every citizen, many of whom from their local situation (although able to pay ordinary tuition) could not, without the mode suggested, enjoy the advantage of schools. The greatest advantage that would attend the mode suggested, is that it would bring education within the reach of the poor, who are unable otherwise to obtain the benefit of education. By the free school mode suggested, education is extended to the children of the poor man, whether such man is poor by misfortune or otherwise, to the children of the deserved poor widow, be the cause of her poverty what it may, and last though not least, to the deserted and disconsolate poor orphan. The free school system, like republican government, considers all equal, and educates all equal. It extends its enlightening influence to the youth of the country, rich or poor, upon principles of perfect equality. It makes the youth of the country, both the rich and the poor, moral and intelligent alike, and makes them alike worthy and useful citizens. It therefore qualifies alike the rich and the poor, when they attain to the age of majority and take upon themselves the duties of citizens to manage, conduct and administer their government upon principles of equality, and to exercise equal power, enjoy equal benefits from their government.

I flatter myself with the opinion, which to me is very consoling, that if you establish a system of common and primary free schools, that you will promote education in the State, and that you will at the same time reduce the burdens which now heavily oppress the people. Should you effect these great and very desirable objects of promoting education and of reducing the burdens of the people, I also flatter myself that the time is not very remote, I fervently hope that each of you may see the light of that day, when the rich and the poor, with one voice, when your country's voice will consider you the greatest benefactors of the age, and will thank you, even bless you for your most noble of all efforts. The most enviable position, the highest honor and the most enduring immortality, attached to the names and memory of our revolutionary warriors, statesman and sages for their struggle in obtaining by force from the hands of tyrants and establishing the blessings of a free and republican form of governmet.—The next grade of honor is in reserve and will wreath the brow of those who are most active, efficient and successful in perpetuating that inestimable blessing. In connection with the subject of common and primary free schools, I would call to your consideration the propriety of extending the necessary assistance of the State, to the higher grades of schools, that is to academies and colleges, (of both public and private endowment,) and to the State university. I am inclined to the opinion, that it is a duty imperatively enjoined on the legislature to put the university into successful operation without unreasonable delay, and in the mean time to collect and to secure to it the funds which properly belong to it, and which at the present, are as I fear and regret to say, in a hazardous condition. I would not be understood, however here as yielding up the common school system for the success of higher grades of schools.

Under the provisions of the late act of the Legislature, entitled "an act for the collection and investment of the Seminary Fund" approved July 26th, 1843, I tendered the office of Commissioner of the Seminary Fund to George A. Thompson, of Yallabusha county, who advised me that he would accept the same. He has not as yet qualified and taken upon himself the trust, on account of the sickness of himself, as I have since been advised. I expect however that he will qualify in a short time.

The financial condition of the State Treasury claims your attention. The State Treasury is still subject to ponderous debts. The principal debts of the State consist of funded warrants of the Auditor on the State Treasurer and the outstanding warrants of the Audiior on the State Treasurer, and the first instalments of the bonds of the State issued under the provisions of the charter of the Planters Bank of the State and the interest which has accrued on said bonds for several years past. I am unable to state accurately the amount of the liabilities of the State, owing in part to the deranged condition of the books in the office of the State Treasurer, caused by the neglect, defalcation and embezzlement of the late State Treasurer, Richard S. Graves and to the fact that no account has heretofore been kept at the Treasurer's office, of the State Bonds issued on account of the Planters Bank and the interest accruing thereon—such amount having been kept by the Planters Bank. I would here state that the present State Treasurer has so arranged the books of that office that the same when brought up, will present the liabilities of the State accurately except as to the bonds of the State and the interest thereon. The assessment of taxes for the year A. D. 1842, including the licence of retailers, hawkers and pedlars and brokers, so far as the returns have been made to the Auditor's office, amounts to $316,120 63. The assessment A. D. 1843, so far as returned, amounts to $307.770 77 1-2 These amounts will be slightly increased when the residue of the assessments are added. These assessments are subject to heavy reduction for the cost of assessing and collecting, for the appraisement of lands and for insolvencies. I am not able to say what the nett annual revenue of the State will amount to, under the present revenue law. I am however satisfied beyond doubt that the revenue under the present law, is not sufficient to pay the current expenses of the State and the debts of the State as the same fall due.

It is not only an act of good faith in the State, but it is also, as I consider, the interest of the state to discharge the debts now due, in the shortest practicable period, and to provide means for the payment of the debts not due, by the time the same fall due. It is a matter, in my opinion, of the first utility and importance, that all the just demands against the State should be brought to par and made equal to gold and silver. This can be done, by providing means to pay the acknowledged demands against the State and not otherwise.

The means which the state has to pay its debts, aside from a resort to taxation, consists of the sinking fund created by the charter of the Planters Bank and the interest which the state has in the stock and effects of the Mississippi Rail Road Company. I am admonished from the past and present history of banking institutions, that the sinking fund and the stock and effects of the Mississippi Rail Road Company, form a frail dependence for the payment of debts. I however consider it the imperative duty of the legislature to resort to the most prompt and efficient mode within the scope of its power to bring the connexion of the state with these institutions, to a final close, at every hazard.

I would be wanting in discernment and sincerity to contend that the present revenue of the state, and the amount which may be realized from the sinking fund, and the interest which the state has in the stock and effects of the Mississippi Rail Road Company will discharge the acknowledged demands against the state, as the same become due, and should in good faith be discharged. It will require energetic measures and time to obtain any thing of value from these receptacles of financial prodigality, the Planters Bank and the Mississippi Rail Road Company.

I consider the warrants of the auditor of public accounts on the state treasury, which are outstanding, and the bonds of the state issued on account of the Planters Bank of this state, with the interest thereon, debts of this state, created within the forms and by the permission of the fundamental law of the state, and that good faith to the state's engagement and to her creditors as well as to the constitution, requires that the same shall be paid when due, or at least without unreasonable delay.

The bonds of the state issued under the charter of the Planters Bank, and the interest thereon, form a ponderous item in the liabilities of the state. I had the honor of a seat in the house of representatives, when the law was passed which authorized the issuance and negotiation of the greater portion ($1,500,000) of these bonds. I then considered the project a reckless adventure, and therefore recorded my vote against it. It was, however, the pleasure of those who were at that time in the councils of the state, and who had the power by numbers, and as I believe, by authority of the constitution, to pass the law. The legislature having passed the law according to the forms prescribed in the constitution, I feel (notwithstanding I voted against the law,) that it is the act of, and obligatory on my government, and therefore obligatory on me and every citizen of the state, as well as those who were then citizens at the time, as those who have since become citizens. A person by becoming a citizen of a state, thereby voluntarily consents, as a member of the community, to take upon himself all constitutional engagements of the state.

Had the passage of the law authorising the issue of these bonds (as was the case of the law by which the bonds issued and sold on account of the Mississippi Union Bank,) been prohibited by the constitution, the question would be wholly different, and the law void, at least so far as the state is concerned.

To support and preserve from violation the fundamental law of the state is the duty, and should be the cherished object of all, and is a subject which appeals with pleasing and unrestricted force, to the pride, honor and patriotism of every good citizen. The constitution is the bulwark, the aggregation of all the rights of the citizens. It is the charter of the citizen to property, to life, to liberty and to honor. It therefore imposes on the citizen the paramount duty, not only of obeying its behests, but also of preserving it from tarnish or violation.

This principle has been most nobly sustained by the citizens of this state, as evidenced in the two last general elections. As evidence, the citizens have not been seduced from the support and preservation of their fundamental law, although powerful efforts for that purpose have been brought to bear. So far from being recreant to that duty, they have given evidence that in preference to withdrawing their support, and thereby *repudiating the constitution*, they choose to continue their support to their constitution and to repudiate all engagements entered into in violation of its provisions, regardless of the high, yet unauthorized functionaries, who entered into such prohibited engagements. A duty on the citizen next to, if not equal in grade to the support of the fundamental law, is the protection and preservation of the faith and credit of the state, in contracts or engagements of the state, which are entered into according to the forms, and by the authority of the constitution. To protect and preserve untarnished the faith and credit of the state, in contracts legitimately entered into by the state, is no more nor no less than the support and preservation of the constitution of the state. Therefore the preservation of the faith and credit of the state, should be the cherished object of all. It is a subject which should appeal to the pride, honor and patriotism of all good citizens. Public faith is the aggregation of that principle of common justice and common honesty, which imposes on us the paramount duty of paying a just debt. The preservation of the faith of the state inviolate, frequently requires great sacrifices on the part of the citizens, (as will be the case of the payment of the Planters' Bank bonds,) but when such sacrifices are incurred in the preservation of a high moral principle, without which, neither society nor government can long exist, we should brook the sacrifice without a murmur. In protecting the faith of our state by paying governmental debts, we most frequently pay the heavy penalties of the past folly and prodigality of reckless public agents, as will be the case with us when we pay the Planters' Bank bonds. However, when we have sustained the penalties of folly, by surrendering up a portion of our property to pay these bonds, we have the consolation of knowing that we thereby only sustain the expense of preserving a principle which guarantees greater security to the remainder and thereby enhances its value.

It may be urged with the powerful force of truth, that by the payment of these bonds, a portion of the property of some (even many) will be yielded up, (and therefore sacrificed to them) who never enjoyed any benefit from the money borrowed. But the force of this apparently real objection, is rendered powerless, from these simple facts: 1st, that we are all citizens of the same state and government, and that the acts performed by our governmental agents within the scope of their constitutional authority, whether such acts be for weal or for woe of the commonwealth, are, from the nature of our government, the acts of all, by having, at least, our implied assent: 2d, that those who loaned the money are not responsible for its application by our agents. If the money was borrowed by the state in good faith and by the authority of the constitution, and the consideration of the debt cannot be questioned, then it becomes a debt of the state, and good faith, alike to the states' engagements, and to the constitution, requires that the same shall be paid by the citizens of the state as an aggregate community.—If by the acts of our agents, the loss of the money borrowed in whole or in part, is the result, it is cortianly a misfortune of the state, and can afford no plausible excuse or even pretext, to withhold payment from those who, in good faith, loaned their money to the state.—I would not be understood as advocating or urging the payment of state debts, and the preservation of the faith and credit of the state, that the state may be enabled to borrow money again. I have ever been opposed to borrowing money by the state, for any purpose. Many of the states of this Union, and this state among the number, have been taught a sad lesson on the subject of borrowing money for banking puposes, or even purposes of internal improvement. I would urge the payment of state debts on much higher and more noble principles, upon the principles of protecting and preserving untarnished the faith credit and constitution of the state, and upon the principles of common honesty, right and eternal justice.

The people of the state of Mississippi are brave generous and just, yet jealous of their rights and honor; both personal and political. They dare to do any thing that is right and just; therefore they have, without sordid and avaricious influence, dared to disown and to reject, or to use a more common expression, to "*repudiate*" the bonds issued on account of the Mississippi Union Bank, the act authorizing the same being vicious and prohibited by the constitution, notwithstanding the act was passed, and the engagement was entered into by functionaries of the state, who arrogated to themselves that they were the agents of the state, in that behalf, and had authority to pass such an act, and to enter into such engagement. Therefore they have dared to preserve the constitution from tarnish, violation and *repudiation*. To such a brave, generous and just, and at the same time so enlightened a people, I look with an abiding confidence that the faith, credit and constitution of the state will be supported and preserved with an integrity and promptness which will endure the test of scrutiny and time.

I believe that the Planters' Bank bonds created by the functionaries of the state, within the scope of their constitutional power, and by permission [at least] of the constitution itself, I therefore consider that the same form a debt against the state, and that the protection and preservation of the faith and credit of the state, and the principles of the fundamental law from violation and repudiation, require that the same shall be paid by the state. I consider that the refusal to pay said bonds would tarnish the principles of the fair fame and credit of the state, and violate and repudiate the constitution. To avert these evils, and to do substantial justice, I submit to your consideration the propriety of raising from the sinking fund, created by the charter of the Planters' Bank, and from the stock and effects of the Mississippi Rail Road Company, if the same be practicable, and can be promptly performed, and if not, then by taxation, a sum of money sufficient to pay the instalment and interest now due on said bonds.

I am advised that the question of taxation is a delicate subject, especially the subject of increased taxation. However delicate the subject may be, it [in my opinion] imposes itself on the people of the state. If I am not greatly mistaken as to the character of the citizens of the state, questions of dollars and cents have no influence on their conduct, when in contrast with their honor, personal or political, and that the question of increased taxation will be met and considered with cheerfulness.

It is admitted that it is an unpleasant duty to part with our property, or to be encumbered with oppressive