GOVERNOR'S MESSAGE.

To the Senate and House of Representatives, of the Commonwealth of Pennsylvania.

GENTLEMEN:—No ordinary reasons for thankfulness to the Great God, crowd themselves upon the Representatives of the people, at this annual meeting. Abundance during the past year, has been the reward of honest industry, in every pursuit of the citizens. Animated with health and encouraged by success, they have steadily progressed in the accomplishment of their destiny, and while enterprize has been highly favored in the developement of our great resources, the elevating purposes and life of social organization, religion, morality, education, refinement and civilization have been cherished and advanced.

Although peace and tranquility have reigned within the borders of this State, we are indentified with, and deeply interested in the war with Mexico, in which the nation is engaged—a war which the prudence, forbearance, and desire of the people to retain friendly relations, could not avert; and which was eventually forced upon us, by the duty that rests upon every well regulated Government to protect the rights of its citizens, and maintain the honor of the nation.

Our religion, our interests, and our institutions, are essentially peaceful. The people hold in their hands the sovereignty of the nation, and exact from their rules obedience to their will. By their controlling influence, they sanction and preserve the cardinal policy of maintaining amicable relations, with all other nations. By them the rights of American citizens, in all parts of the world, and the honor of the nation are held sacred. Violations of these national rights and national honor, appeal to the justice, and invoke the power of the whole people for their vindication. The war of 1812, with England, and the existing war with Mexico, are illustrations of this distinguishing feature in the character of the American people. Patient of injury while wrongs are sufferable, and reasonable hopes of a return to amicable relations, upon equitable principles, can be entertained, yet no nation may, with impunity, violate the obligations of treaties, or break faith with the United States.

In defence of these just rights the power of this people is resistless. Every citizen holds himself responsible, and the army springs into existence, not by conscriptions, or contracts for enlistments, but by the voluntary impulse of independent freemen, animated by patriotism and urged onward to deeds of heroic valor, by the approbation of the whole nation. This invincible spirit, guided by the science and skill of the officers, has led our armies in Mexico, from one victory to another, and from one great triumph to a greater, and will lead them still onward, until a permanent and honorable peace is secured. While the honest pride of every American is gratified, by the great achievements of our soldiers, his confidence in our free institutions, and in the means to defend and preserve them, is strengthened.

In the support and prosecution of the war in which we are engaged, Pennsylvania has given token of her ancient and uniform fidelity to liberty and the honor of the nation. Her volunteers were among the first to tender their services, and in every encounter with the enemy, have magnified the military fame of the Commonwealth, by deeds of romantic chivalry and noble daring. In these great achievements, many of our heroes have fallen in a foreign land. The moans of the winds of Heaven, in passing through the long grass on their graves, are re-echoed by the sighs of their friends in the fatherland, and the sad requim is a just tribute to their sufferings and their valor.

The finances and credit of the State—the amount and condition of the public debt, and the means of reducing it, are among the objects which claim the first attention of the Representatives of the people.

The amount of the public debt, on the 1st December, 1846, was $40,789,577 00

On the 1st December, 1847, it was, according to the Report of the Auditor General, as follows, viz:

Funded Debt.		
6 per cent. stocks,	$1,752,335 06	
5 " "	37,267,990 37	
4½ " "	200,000 00	
Relief issues in circulation,	931,664 00	
Interest certificates outstanding,	353,956 43	
Interest certificates unclaimed,	4,448 38	
Interest on outstanding and unclaimed certificates, at 4½ per cent., to 1st August, 1845, time of funding,	22,459 80	
Domestic creditors,	96,095 47	
		40,628,949 51
Being less than it was on the 1st December, 1846.		$160,627 49

This payment, or reduction of the debt, within the last financial year, was effected by the cancellation, at the Treasury, of one hundred and fifty thousand dollars of the relief issues, and by the receipt of State stocks in payment of old debts, which is allowed in certain cases by law.

There would have been two hundred thousand dollars of the relief issues cancelled, within the year, in accordance with the requirements of the law, but the payment of the interest which fell due on the first of February, last, left the Treasury so much exhausted, that the amount which should have been cancelled on the 31st March, was not then on hand. It will be recollected that it became necessary to anticipate a portion of the means of the year, by a loan of $200,000 00, to meet the interest which fell due on the 1st February.

The balance in the Treasury on the 1st December, 1846, was	$384,678 70	
The receipts into the Treasury, during the financial year ending the 30th Nov., 1847, from all sources, including the loan of $200,000 00 above referred to, were,	3,977,025 89	
Making an aggregate of	4,361,704 59	
The payments made out of the Treasury, during the same period, including the repayment of the loan of 200,000, were,	3,680,813 74	
Leaving the balance in the Treasury, on the 1st Dec. 1847,	680,890 85	
being $296,212 15, more than it was on the 1st of Dec., 1846.		
The estimated amount of available outstanding taxes, on the 1st Dec., 1847, was,	548,881 00	
and the estimated amount of the same, on 1st Dec., 1846, was,	542,688 64	
which exhibits an increase, in this item, of	6,192 36	
To which add the increase of the balance in the Treasury, of,	296,212 15	
and we have the sum of	302,404 51	

as the aggregate increase of the balance in the Treasury, and of outstanding taxes on the 1st Dec., 1847, over the same items on the 1st Dec. 1846.

This calculation shows, that the revenues assessed and accruing, within the financial year, ending on the 30th Nov. last, were not only adequate to meet the demands upon the Treasury, within the year, but exceeded them by the sum of $302,404 51, as above stated, and if to this sum be added the amount of the debt paid within the year, to wit, $160,627 49, we have the sum of $463,032 00, as the excess of the revenues accruing within the year, over the payment of the interest on the public debt, the expenses of the government and the other ordinary demands upon the Treasury.

This presents a very encouraging view of the improving condition of the finances of the State. It is the first time, since the commencement of the internal improvement system, that the permanent revenues accruing within the year, unaided from any other source, have exceeded or been equal to the demands upon the Treasury. It is true, the interest upon the funded debt, and other claims upon the Treasury, during the two preceeding years, including the payment of a portion of the public debt, by the cancellation of relief notes, were punctually paid; but, in doing this, the balance which had accumulated in the Treasury on the 1st Dec. 1844, by the previous suspension of the payment of the interest on the public debt, for two and one-half years, as well as the amount of taxes then outstanding, were diminished each year, until the last, as is particularly explained in my annual messages, in 1845 and 1846, to which you are respectfully referred.

An estimate of the receipts and expenditures, of the current year, made with much care, and upon consultation with the other officers of the government, is hereto appended, by which it appears, that the estimated amount of receipts into the Treasury, from all sources, for the financial year, ending on the 30th November, 1848, is $3,921,900 00

And that the estimated amount of expenditures, for the same period, including the cancellation of $200,000 relief notes, is	3,576,390 00
Which exhibits an estimated excess of receipts, over expenditures, of	$345,510 00
To which add the estimate for the cancellation of relief notes, which are a part of the public debt,	200,000 00
And we have the sum of	545,510 00

as the estimated excess of receipts, of the current financial year, ending on the 30th November next, over the payment of the interest on the public debt, and the current demands upon the Treasury.

These estimates, when taken in the aggregate, I consider entirely safe and reliable. During the last few years, the actual results have been more favorable to the Treasury, than were anticipated by the estimates. Notwithstanding the extraordinary floods, which occurred during the past year, the consequent damage to the public works, and the interruption of the trade upon them, for about two months, the tolls taken by the collectors, within the year, according to the report of the Canal Commissioners, amounted to the sum of $1,581,575 87, being $286,081 11, more than was taken in the preceding year, and exceeded the estimate made for the last year, near one hundred thousand dollars. Had no unusual interruption of business occurred, the amount taken would certainly have reached eighteen hundred thousand dollars.

The estimate of canal and railroad tolls, for the current year, is seventeen hundred thousand dollars, which, there is good reason to believe, is rather below than above the amount which will be received. The expenses of repairing the damages to the public works, by the floods of the past year, will principally fall upon the current year. They are, however, included in the estimate of the expenses of the year, and will not affect the results presented in the preceding calculations.

The amount of relief issues in circulation, on the first of December last, was nine hundred and thirty one thousand, six hundred and sixty four dollars, of which fifty thousand were cancelled at the Treasury, on the 31st of Dec., leaving eight hundred and eighty one thousand, six hundred and sixty four dollars, still outstanding. The means of the Treasury, it is believed, will be adequate to the cancellation of the whole amount now in circulation, within the present and succeeding year. Many of them are so defaced, as to be almost illegible, and are unfit for circulation; besides they vitiate the currency, and furnish an excuse for the use of small notes from other states, in violation of law, and lessen the circulation of gold and silver among the people. Justice to the public creditors, who are compelled to receive them in payment of their interest, when they are below par, as well as to the people at large, imperatively demands that they should be taken out of circulation as soon as practicable. I, therefore, recommend the passage of a law, allowing such of the Banks as have issued these notes, to fund them at a rate of interest not exceeding six per cent. per annum payable semi-annually, and that all the surplus means in the Treasury, beyond the payment of the interest on the public debt, and the current expenses of the government, be applied, first, to the redemption or cancellation of those that may remain in circulation, as they come into the Treasury, and then to the payment of the amount funded by the banks.

The resources of the Treasury will be sufficient to cancel all that may be received in payment of dues to the commonwealth, and to pay the banks the amount funded within two years. By this process, should the banks agree to fund any considerable portion of them, they may all be taken out of circulation within the present year. It may be urged, that as these notes do not now bear interest, they ought not to be converted into a debt on which interest will be payable. This, however, is but a superficial view of the subject. There is no longer any excuse for a continued violation of the public faith, by the payment of the public creditors, in a depreciated currency, and the small amount of interest which will have to be paid, if the banks agree to fund a portion of these notes, will be more than compensated by relieving the character of the State from the continuation of this act of injustice, and the people from the losses incident to a depreciated circulation. This currency had its origin in an evasion of the constitution, and ought to be blotted out of remembrance.

It may now be safely assumed, that we have reached a period, in our financial history, when the permanent revenues of the Commonwealth exceed, annually, the interest on the public debt, and the ordinary demands upon the Treasury, by at least half a million of dollars. And this excess, it is confidently believed, may, by a judicious revision and amendment of the revenue laws—a prudent and economical course on the part of the legislative and Executive departments of the Government, and the faithful management of the public works, be augmented in a few years to one million of dollars, as a sinking fund, without increasing the burdens of those who now pay their taxes on a full return and fair valuation of their taxable property. This sum applied semi annually, with its accruing interest to the redemption of the five per cent. State stocks, at par, would discharge upward of sixteen millions, four hundred thousand dollars, of the debt in twelve years, and reduce it at the end of that time, to twenty-three millions. It is believed that all the relief issues will be redeemed and cancelled, by the year one thousand eight hundred and fifty, and if the operations of the sinking fund are then commenced, on the funded debt, the result thus anticipated, will be realized in the year one thousand eight hundred and sixty-two at which time, there is good reason to believe, the net income from the public works, will be more than sufficient to pay the interest on the balance of the public debt, and thereby relieve the people from all further direct taxation for this purpose.

Some may view this proposition as visionary and delusive, but I regard it as entirely practicable, under a wise and prudent administration of the affairs of the State. The augmenting trade upon our public works, and the consequent increase of business in our commercial and manufacturing cities and towns, and the increase of population and taxable property, within our limits, cannot fail, under a proper enforcement of the revenue laws, to add to the means of the Treasury every year. If, however, this great object is to be effected, the public revenues must not be diverted to other purposes, and the most rigid economy, and the strictest accountability, of the public agents, must be required and enforced. It is among the first, and highest duties, of those entrusted with the administration of the government, to adopt the most efficient means, under existing circumstances, to increase public confidence and guard against the good faith of the State being ever again called in question—to reduce the public debt, and relieve the people from perpetual taxation to pay interest. I, therefore, feel impelled by a sense of duty, to renew the recommendation contained in the last annual message, which is in these words: "In connection with this subject, I respectfully recommend to the General Assembly, the propriety and policy of proposing to the people, an amendment to the Constitution of the State, under the form of the 10th article of that instrument, by which the income from the public improvements, after deducting the necessary expenses for repairs and superintendence—the revenue arising from the State tax on real and personal property, for a certain period, and such other items of income as it may be deemed expedient to include, shall be set apart and sacredly pledged, for the payment of the interest upon the public debt, and the gradual liquidation of the principal. Such an amendment, judicially arranged, would I apprehend, meet with the decided approbation of the people of the Commonwealth. It would concentrate public sentiment upon a fixed object—remove all doubt of the fullness of the public credit, and lay the foundation of the final extinguishment of the public debt.—It would give an additional security and assurance to the people, and to the public creditors, that in no event, could the public revenue be diverted from its legitimate object, and would furnish conclusive reasons, for the prompt and cheerful payment of the taxes."

The inequality of taxation rising from large quantities of property subject to tax under existing laws, escaping assessment, and the unequal valuation of that which is assessed, continues to be a subject of just complaint. I am well aware there are inherent difficulties connected with the subject, but still the experience of the operation of the system, and the defects which have become apparent, will point out some remedies for the grievances which exist, and which should be adopted. I, therefore, most respectfully invite the attention of the General Assembly, to a thorough examination of the subject. Whatever just amount of taxation one man escapes by an evasion, or imperfect execution, of the law, is an imposition and fraud upon his neighbor, who makes a full return of his property, and pays a tax upon a fair valuation.

There are no subjects more intimately connected with, or which have a more direct influence upon the interests of the country, than the currency and the banking system.

There is good reason to believe, that the prosperity of the people of the United States, particularly those connected with the agricultural interests, has been promoted, by the removal on the part of the British Government, of the high duties upon our exports of grain, and other agricultural productions, and the modification of our own tariff, by which the commercial exchanges of the two countries have been greatly augmented, without affecting, injuriously, so far as I am informed, any of the great manufacturing interests, or other industrial pursuits of our people.

Other causes, in combination with those alluded to have produced a large influx of specie into the United States, during the past year, which has gone into active circulation among the people or found its way into the vaults of the banks. This increase of the precious metals, while it should dispense, in a great degree, with the use of paper currency, has a tendency to increase it, by enlarging the means of the banks to extend their issues. The effect of which if encouraged, will be to promote speculation, and over action in every department of business, and thus make the present substantial prosperity of the people, the means of producing adversity and depression. The operations of the Constitutional Treasury have had, and no doubt will continue to have, a most salutary influence, in restraining the tendency of excessive banking, by keeping the public revenues out of the vaults of the banks, and compelling them to be prepared to redeem their notes, and furnish specie, to meet the wants of those who have customs, and other dues, to pay to the Government.

Although the restraining influence of this great measure, upon the banking system, is most beneficial, still it does not dispense with the necessity of caution and prudence, on the part of the States, in every thing pertaining to banking and paper circulation.

Moderate discriminating duties, with a sound currency, limited to the specie standard, may be regarded as the natural and healthy condition of a country by which the just rewards of labor are secured, and all the great interests of the people advanced, while high duties and a redundant paper currency operate as unnatural stimulants and create apparent but delusive prosperity.

Nothing can contribute so much to the maintenance of our present prosperity as a sound currency. Pennsylvania is rich in productions of almost every description required by the wants of mankind; and nothing is necessary to make her people the most independent in the world, but a proper regard for her true interests. To advance these, she must not be seduced from her devotion to sound principles, by the artificial contrivances of false economists, whose selfish theories are as delusive, as they are destructive of the public good.

The present is a most propitious period when there is an abundance of gold and silver in the country, to make a determined effort to increase its circulation, and secure to the people the currency which the wisdom of the framers of the Constitution of the United States provided. Instead of creating new banks, or increasing the capital of old ones, our efforts should be directed to secure the solvency of those which already exist, and thereby render their circulation sound and reliable.

Impressed with the force of the considerations, I am convinced that the increase of the banking capital of the State, would be unwise and impolitic; and I respectfully recommend, that before any one of the existing banks is rechartered, a searching scrutiny be instituted into its affairs, its management, its credit, and its means; and if it be found that the notes have been suffered to depreciate, *that* the accommodations *have been* bestowed upon favorites, and large speculators and dealers in money, instead of being diffused among moderate and safe customers; that the issues have at one period encouraged speculations by their excess, and at another oppressed honest *industry*, by their contraction; in short, that the legitimate objects for which the privileges were granted, have not been by fair, faithful and judicious management accomplished, then the charter should be suffered to expire by its own limitation. The discontinuance of such institutions will promote the public good, and will be hailed with approbation by all but those who have, for private gain, wrested them from the purpose for which they were established.

This policy, so just towards the public, while it may, to a moderate extent, diminish the present amount of banking capital, will strengthen public confidence in the other banks, and add to the stability and soundness of the currency. And as it may, also, increase the profits of existing banks, beyond a just compensation to the shareholders for their investments, and as this excess of gain is derived from the special privileges conferred upon them by the Legislature, I recommend, that the tax imposed by the act of the 1st April, 1835, upon dividends exceeding six per cent. per annum, be increased. While the inducement to excessive banking will be reasonably checked, by the increase of this tax, the finances of the State may be, to some extent, improved, and the public welfare promoted.

The policy indicated, will lead to the rigid execution of the law prohibiting the circulation of foreign notes, under the denomination of five dollars, as soon as the balance of the relief issues is cancelled. This will be a positive advance in the improvement of the currency, which should be then followed by a law prohibiting the circulation of all notes, below the denomination of ten dollars. The channels of circulation will then be filled with an abundance of gold and silver, the public secured against the chances of loss by broken banks, and depreciated currency; and the way will be opened to such further improvements, as the real interests and convenience of the people may demand.

The cautionary enactments I have suggested, cannot fail to increase, rather than diminish the amount of a sound circulating medium, fully entitled to the public confidence. The effect will be to bring the specie of the country into active circulation, to furnish the people with a substantial currency, that cannot be impaired by bank failures, and to restrain the tendency of the banks to foster extravagance, in time of prosperity, and check the means of oppression in time of adversity.

A theory has been advocated and put into practice, in some of the States, called FREE BANKING.—It is based, in part, upon specie, and in part upon state stocks, hypothecated with the Government. In other words banks become the creditors of the Commonwealth, by purchasing her bonds: these are deposited with the government, and the government endorses, and returns to the bankers, notes prepared for circulation, to an equal amount. I can perceive no grounds for confidence in this system. It must explode, in a country where it is adopted to any considerable extent, whenever a revulsion occurs to test its stability, for it is a deviation from true principles. Sound and safe banking can only be based and conducted on money—gold and silver. Neither individuals or banks, can lend that which they have not; and if they lend credit in the shape of bank notes, without the means to redeem them in gold and silver, they commit a fraud upon the community, as they lend and put in circulation, that which is not money, nor the representative of money.

If this system of converting state stocks into banking capital, and hypothecating it as a security for the payment of bank issues, were not a delusion, mortgages upon real estate, might be used for the same purpose, which would afford an equal if not a better security, for the payment of notes, and by this process, the whole value of the real estate of the country, might be converted into banking capital, and the people into a nation of bankers. This proposition shows, that the whole scheme is illusory and unsound.

Free banking, in its legitimate sense, is the right which every man enjoys, to lend his own money to whom he pleases. It is the exchange of money for securities, to repay with interest—it involves no fictitious increase of the circulation, but may be carried on to an indefinite extent, without affecting the currency. This is the free banking, which has at all times supplied, and does now supply, the wants of a large proportion of borrowers, and commends itself to general confidence and approval, by its simplicity and adaption to the circumstances of the people.

The policy of incorporating mining, manufacturing, transporting and other companies, for purposes appropriately within individual competency, has been fairly discussed; and, guided by the unerring demonstrations, that these enterprizes are most successfully and beneficially conducted, under the control of individual responsibility, the public opinion has been expressed in the spirit of the age in which we live, against the policy.

While all the great departments of business in the Commonwealth are prosperously conducted, under free and equal competition, there are yet some men, who seem to stand still, while the world is going onward around them, and who cherish the antiquated notion, that the timid, contracted and selfish aggregation of wealth, under the protection of corporate privileges, is preferable for the transaction of business, to the free ardent and bounding capabilities of individual enterprize:—a power which, since William Penn arrived on these shores, in 1682, has changed an immense wilderness into fruitful fields, and has, in this march of civilization and improvement, provided for the wants, the comfort, the education and refinement, of two millions of free people. What have corporations done in this great achievement? Where are the trophies of their generous spirit, their valor or their utility? They are behind the times—they belong to an age that is past. The time was, in other countries, where all the rights of the people were usurped by despotic governments, when a grant by the king to a portion of his subjects, of corporate privileges, to carry on trade, or for municipal purposes, was a partial enfranchisement, and made the means of resuming some of their civil rights. Then and there, corporations had merits, and were cherished by the friends of liberty. But, in this age and country, under our free system, where the people are sovereign to grant special privileges, it is an inversion of the order of things. It is not to restore, but to take away from the people, their common rights, and give them to a few. It is to go back to the dark ages for instruction in the science of government; and having found an example, to wrest it from its original purpose, and to make it the instrument of restoring the inequality and despotism, which its introduction tended to correct.

The fallacy that, where large investments are required to carry on a profitable business, (and corporators do not associate for that which is unprofitable,) individual means are inadequate, is everywhere refuted in this happy country.

Further, by cherishing any particular business, and surrounding it with special privileges, the natural law, which secures to every branch of business, its appropriate encouragement and reward, is violated. Under this law, so kindly provided by Him who rules all things, every individual man, untrammeled by the curses of bad government, guided by his moral and intellectual powers and his religious principles, advances his own happiness and improves his own condition; and thus the happiness and prosperiey of all are promoted. Every effort to modify or subvert this sovereign law, by placing classes, professions or callings beyond its control, has hitherto, and ever will, like every other transgression, be destructive of good. If our free institutions are right—if it is right that all men should be held equal—if this is the law of our nature, enstamped by Him who made us, then every human law which impairs this equality, is radically and intrinsically wrong.

The Report of the Canal Commissioners will furnish information, in detail, in regard to the public works. Notwithstanding the interruptions of business experienced during the year, the gratifying result is presented, of a large increase of tolls over any preceding year. The increased and increasing value of these great works, render them an object worthy of peculiar care and protection; and must forever, negative the idea of the State surrendering the control over them, to a corporation.

The Pennsylvania railroad company, have commenced the construction of their road, between this place and the city of Pittsburg, under very favorable auspices. The Eastern division is now under contract as far as Lewistown, and it is expected the remaining portion of it, as far as Hollidaysburg, will be put under contract during the ensuing Spring—The completion of this great public work, even to Hollidaysburg, will augment the trade and travel upon the Philadelphia and Columbia road. This prospective increase of business, urges the necessity of considering the best means of avoiding the inclined plane, at the Schuylkill.

As the Philadelphia and Columbia railroad, is the important link which connects the main line of our public improvements, as well as the North and West branch canals, with the commercial metropolis of the State, and upon the control and management of which the value of our canals mainly depend, every thing which relates to it, is of the highest concern to the interest of the Commonwealth. In adopting measures to change its route, so as to reach the city without passing the inclined plane, the greatest circumspection and care should be observed to secure the best location practicable, and to protect the State against exorbitant claims for damages. No change of location should be sanctioned, until the whole question is carefully examined, by one or more of the most competent engineers, who are entirely free from all interest in the decision. Under no circumstances should any plan or arrangement be entertained, by which the State would, for a single moment, be deprived of the ownership and entire control of the road.

The reports of the Auditor General, and State Treasurer, present, in detail, the financial operations of the year; and I take pleasure in saying, that the industry, ability, and fidelity, with which these departments have been administered, are deserving of the highest commendation.

The Commonwealth has heretofore sustained many losses, by the delay of the settlement of accounts, and the omission to enforce the payment of the balances found due, when settled. Within the last few years, many old accounts have been finally settled, and suits brought and prosecuted to judgement and execution, for balances of long standing embracing the terms of several administrations. This has, in many instances produced cases of extreme hardship upon bail, some of whom have been compelled to pay the balances found due, with the accumulated interest, after the insolvency of their principals and co sureties.

I am gratified in being able to say, that the business imposed upon the accounting officers, by a special act of Assembly, in collecting these old debts, has not only been faithfully performed, but that the current business has been promptly attended to, and kept up. To enable the Auditor General, however, to continue to do full justice to the interests of the State, and all concerned, in the prompt settlement of accounts, liberal provision should be made to pay additional clerk hire.

While on this subject, I would respectfully invite attention to the organization of the offices of the Auditor General and State Treasurer, to ascertain whether the regulations and checks existing, are sufficient, in all respects, to secure a proper accountability, and protect the interests of the Commonwealth. It is true, that the public has for many years sustained no losses, but, I apprehend that the faithfulness of the agents, having charge of these departments, and not the checks provided by law, has produced this result. This is a propitious period for instituting an examination of the subject, particularly as the present worthy officers hold so large a share of the public confidence. Since the establishment of the present system, the finances of the State have increased from a few hundred thousands, to nearly four millions of dollars annually. The regulations and checks which were then considered sufficient, may now be inadequate, to protect the interests of the Commonwealth, in its enlarged and increasing financial operations.

The Auditor General's office, to be an efficient check upon the Treasury, should be so organized, that the Auditor General might know at all times, the condition of the Treasury, from the Books of his own office, without being dependent on those of the Treasury. If errors or omissions exist in the Treasury, the Auditor General's books should detect and correct them. This is not the case under the present organization and mode of doing business, in the two offices.

It also occurs to me, that greater security against the misapplication of the moneys in the Treasury, and on deposit in the banks, to the credit of the Treasurer, should be provided, by the institution of some checks upon his drafts and payments. The moneys of the Commonwealth, on deposite to the credit of the Treasurer, varying in amount, for some months in the year, from four hundred thousand, to near a million of dollars, are subject to his draft alone, while he is only required to give security in the sum of eighty thousand dollars. Thus a very great and dangerous power is confided to one man.

I, therefore, suggest the propriety of requiring the Auditor General to countersign all drafts for the payment of money drawn by the Treasurer, on the depositories, or for transferring moneys from one depository to another.

The report of the Adjutant General, exhibits the number of militia of the Commonwealth, as well as the arms and military stores.

This detail shows the elements of the military power of the Commonwealth—the strength of a Republican Government. The experience of the last few years, has added proofs to the value of this institution, and presents the subject, as one of great importance, to the care and supervision of the Legislature.

The report of the Superintendent of Common Schools, exhibits a full view of the progress and steady advancement, of our admirable system of Common School instruction, which is diffusing its blessings to the rising generation, and strengthens all our free institutions. The man who loves his race, cannot find a more delightful subject of contemplation, than this universal provision for the education of all the children of the Commonwealth, and thus arming them, with knowledge and power, and fitting them for maintaining the rank and dignity of freemen. The perfection of the system, is one of the noblest objects of legislation, and will secure the early and continued attention of the General Assembly.

You are respectfully referred to the report of the Surveyor General, for information in relation to the operations of the Land Office, during the past year, by which it will be seen, the receipts into the Treasury, from that source, have been increased.

The final Geological report, now finished and ready for the press, has been deposited by Henry D. Rogers, Esq. the State Geologist, with the Secretary of the Commonwealth. This report is represented to contain a general and scientific view of all the Rocky straits, and their contents—their order of arrangement, and the region of country they occupy, and representing, in detail, the situation of every layer of Coal, every important vein and bed of iron ore, and every other mineral deposite, of utility, within the state. The state has expended a large sum, in collecting the materials, and information, contained in this elaborate, and extensive report, which will be in a great degree, lost, unless it is published. I therefore, recommend the subject of publication to the early attention of the Legislature.

The rights of property of married women, present, in my opinion, a proper subject of legislative consideration. By our laws, the husband upon marriage, possesses the power of becoming the absolute owner of the personal estate of his wife, by reducing it into possession, and when he thus acquires the ownership, he may dispose of it by will at his death, to whom he pleases. She has the privilege, by law, of renouncing the estate or property devised or bequeathed to her by will; and upon such renunciation, she is entitled to dower of her husbands' real estate, of which he died seized. The wife has no control of her own personal estate or of that of her husband during the marriage, unless it be an extorted allowance for necessaries; and at her death, she has no power to dispose of even that which was her own by will—but the whole belongs to the husband. The husband may encumber his estate, by contracting debts without the consent of his wife, and upon his dying intestate, she is only entitled to the one-third of the personal estate, and a life estate in one-third of the real estate, after the payment of all the debts; and, if the estate is not sufficient to the payment of the debts, she looses all. But the wife cannot encumber the real estate she holds in her own right, and upon her death, the whole rests in the husband, during his natural life.

The policy, as well as the justice of this distinction, made by the law in favor of the husband, and against the wife, may well be questioned. The liberal and enlightened spirit of the age, has developed and secured the rights of man, and has redeemed women and elevated her, from the degrading position she occupied, and placed her, where she always should have been, at the side of her husband, his equal in rank and dignity. Then why should her rights of property still be, to a great extent, controlled by the contracted and illiberal enactments of an age when her husband was her lord, and he might chastise her, by law, as if she were a servant? Our law very carefully provides, that the husband shall not, without the formal consent of his wife, convey his real estate by deed, so as to bar her right of dower, and if this consent is not given, her right is protected, after his death, against the claims of his creditors. Now, if this be a sound principle, and worthy of the solemn sanctions it has received from the Legislature and the Judiciary, why should it not be extended, so as to preserve to the widow her dower, in all cases where the husband has not only by deed, but by other means, sanctioned by the law, disposed of his real estate, without the formal consent of his wife? If the husband contracts debts, his real estate is as effectually transferred by the law, for the use of his creditors, as if he had conveyed it by deed, with the consent of his wife:—thus the law, at present, enables the husband, by one mode of transfer, to bar his wife's dower, without her consent, while it protects her right with the greatest pertinacity, if he adopts another mode of transfer. If the widow's right of dower is good in one case, as is universally admitted, it is equally as good in the other, and the power of the husband to take it away, by changing the mode of transferring the estate, is destructive of a sound and well established principle, and should be repealed. This conclusion appears to me to be irresistible; and I, therefore, recommend the passage of a law, securing to married women their right of dower, in all cases where the estates of their husbands are transferred, after the passage of the act, without their formal consent.

In the annual message to the Legislature, at the last session, and in several messages containing objections to bills for dissolving marriage contracts, I have expressed my opinions upon the subject of granting legislative divorces. These opinions have been strengthened by further reflection, and I shall adhere to them.

The great purposes for which the law-making power was established in the Commonwealth, have been accomplished. General laws have been enacted, and have received the approbation of the people, for securing the enjoyment of the life, the liberty, and reputation of the citizens, and for protecting them in the acquisition, possession, and transmission of property, and in the pursuit of their own happiness.—The foundations of good government being thus laid, the time of the General Assembly, at its annual sessions, is more occupied in providing for the contingencies that arise in the progress of our affairs, than in changing the organic laws, as is attested by reference to the annual enactments of the Legislature.—For some years past, but few general, while a large number of local laws, have been enacted. The tendency seems to be to substitute special, for general legislation; a practice which may well be regarded as of doubtful utility—and it presents a question, which, in my opinion, deserves grave consideration. General laws, affecting the whole community, receive, in their discussion, the deliberate consideration of all the Representatives of the people. That which interests all, arrests the attention, and secures the care and close investigation of all. Hence, general laws have impressed upon them, the wisdom, the experience, and the judgment, of every member of the Legislature. Having received this deliberate sanction, they usually meet with the approbation of the people, and become permanent rules of action. This reasonable practice, limits and simplifies the questions submitted for legislative discussion, is calculated to shorten the sessions, reduce the expenses of government, and give dignity and importance to the proceedings of the General Assembly.

On the other hand, local legislation excites no interest. A few members only, who represent the county, township or borough, in which the change of the law is proposed, are concerned in arranging the provisions, and being too often passed upon their request, these special acts are sent forth, with all the imperfections, which the wisdom and deliberate care of the whole body, if they had been general laws, would have corrected. The direct tendency of this practice, is to multiply the demand for local laws—a demand which has increased from year to year, to an alarming extent, in which no industry of the General Assembly will be able within the limits of an ordinary session to satisfy, if the practice is continued. Is it not impracticable, in a great State like Pennsylvania to provide special acts to meet all the different and changing views of the citizens of every borough, township and county? and if this were practicable, would not the policy of establishing an infinite variety of different rules, for the same people, be exceedingly questionable, and introduce great confusion and uncertainty? Would it not defeat one great and beneficial object of sound legislation, which is permanency of the laws? Is there not true wisdom, and sound policy, in preserving and strengthening the unity of the Commonwealth, and in maintaining uniform interests, customs and habits? It is true there are shades of difference in the condition and local circumstances of the citizens, of separate districts of the State; but, in an advancing and improving country, where intercourse is so direct, and the social relations of life are so generally diffused, these will gradually and certainly disappear under the influence of general laws. We are one people without reference to our ancestry, or the place of our birth. We are all Pennsylvanians—we have the same constitution of government—the same common rights—then why should we not have the same common laws?

In conclusion, permit me to assure you, gentlemen, that I shall most heartily co-operate with you, in all your efforts to advance our beloved Commonwealth, and to promote the welfare of the people.

FRS. R. SHUNK.

EXECUTIVE CHAMBER,
Harrisburg, January 5, 1848.

☞ Capt. Wm. F. Small has returned from the wars, and will take his seat in the State Senate at the opening of the coming session. He has leave of absence from the army for three months.

GENERALS SCOTT AND WORTH.

Some weeks ago we learned via St. Louis, that a difficulty had taken place between the distinguished soldiers whose names head this paragraph. The allusion to it was not clear then; now we have the whole story from GOMEZ, the Mexican correspondent of the St. Louis Republican. He says:

To a correct understanding of the merits of the controversy, it is proper to remark, that the first cause of complaint on the part of Brevet Maj. Gen. Worth, against the General-in-chief, was the unqualified disapprobation of the latter, of the terms of capitulation entered into by the former, with the municipal authorities of the city of Puebla, in his advance upon, and occupation of, that city. Gen. Worth, it will be recollected, was directed by Gen. Scott, to act with his division as the advance corps of the army, until reaching and occupying Puebla.

(The capitulation is given but we do not deem it of sufficient importance to copy.)

The second cause of complaint on the part of Gen. Worth against the General-in-chief, was the disapprobation of the latter, at a circular addressed by the former *to his division alone*, at a period when the entire force of the army, including the General-in-chief, was garrisoned in the city of Puebla, with the exception of the small force left at Jalapa under Col. Childs. That circular purported to convey the information to the first division, of which Gen. Worth was the commanding officer, that a design was contemplated by the citizens of Puebla to poison the fountains from whence our army drew their daily supply of water, and in that way destroy us; and placing them on their guard against such inhuman and nefarious designs, if in reality there was any ground of apprehension whatever, that such threats had been made, or if made, whether there was the slightest possibility of their being put in execution.

To the exceptions taken by the General-in-chief at these two official acts of Gen. Worth, the latter became greatly incensed, and permitting his feelings to pervert his better judgment, became most violently and bitterly inimical to the General-in-chief. The result was, what every reflecting officer in the army most deeply regretted, a rupture in those friendly relations which for upwards of thirty years had existed between these two gallant and justly distinguished military chieftains.

The following order, published to a very limited extent by the General-in-chief, after the finding of the Court of Inquiry demanded by General Worth, contains sufficiently explicit, all other facts material to a correct understanding of the affair by your readers:

GENERAL ORDERS, No. 196.

HEADQUARTERS OF THE ARMY,
Puebla, June 30, 1847.

Abstract of proceeding of a Court of Inquiry, which convened at this place, by virtue of general orders No. 186, head quarters of the army, and of which Maj. Gen. J. A. Quitman is President:

I. The said Court of Inquiry proceeded in due form to investigate the subjects embraced in the two papers herein cited, viz: First, the General Order No. 186, Headquarters of the Army, Puebla, Mexico, June 24, 1847, as follows:

"At the instance of Brevet Major General Worth, a Court of Inquiry will meet in the building called the Palace of this city, at ten o'clock to morrow morning, to investigate certain matters in which that general officer conceives himself to have been injured by the General-in-chief of this army, viz: in the matter of the terms granted by the said Brevet Maj. General to the functionaries of this city, in the way of capitulation, as guarantee, at or about the time (May 15, 1847) of his entrance with the advanced corps of the army into the city; and in the matter of a circular, dated June 16, 1847, published by the said Major Gen. to the officers of his division."

If there be other matters in the conduct of the said Brevet Major General, which he may specially desire to have investigated by the said Court of Inquiry, he will submit them to the General-in-chief, through the Recorder, for further orders in the case.

DETAIL.

Maj. Gen. QUITMAN,
Brig. Gen. TWIGGS,
Bvt. Brig. Gen. SMITH, } Members.

Lieut. R. P. Hammond is appointed special Judge Advocate.

The court will give an opinion of the merits of all the matters investigated by it.

By command of Major Gen. Scott.
(Signed) H. L. SCOTT, A. A. A. G.

Second, A brief statement by Brevet Major Gen. WORTH, of the matters in which he conceived himself wronged by the General-in-chief, and to which the investigation extended under the order instituting the court, in the following terms, viz:

I. In the matter of an interview had May 15th at Chichapa, Mexico, between Brevet Major Gen. Worth, commanding 1st Division of the army, and the civil authorities of Puebla, at the instance of said Brevet Major General—the General-in-chief (verbally and in writing) has improperly, in manner and in matter, characterised the proceedings at said interview, to the prejudice and wrong of said Brevet Major General.

II. In the matter of a circular, which was addressed by Brevet Major General Worth, to the 1st Division, on or about June 16th, 1847—the General-in-chief, verbally and in writing, has harshly and injuriously characterised said circular, and in a manner uncalled for, and to the undeserved reproach of said inferior officer.

After an investigation of the above matters, the court made the following decision in the case:

OPINION.

"That, regarding the remarks of the General-in-chief, dated June, 17th inst. endorsed upon the translated copy of a letter from the Mexican Judge Duran, to Major General Scott, dated the 16th of June, inst. as hypothetical and applicable only to claims urged by the Mexican authorities which the General-in-chief at the time of his remarks, supposed to be "without authority," and which Brevet Major General Worth insists were not conceded by any of his official acts—the court can perceive *nothing* in the remarks of the General-in-chief to which Brevet Major General Worth could properly take exception.

The court is further of opinion, that the terms of stipulations granted by Brevet Major General Worth to the functionaries of the city of Puebla, upon his entrance with the advanced corps of the army into that city on the 15th of May last, were *unnecessary, yield-ed, improv