

Rogers, clk. The time of sitting of this body will be from nine o'clock in the morning until the in the afternoon.

By order,

THO'S ROGERS, Clk.

On motion, *Ordered*, that Messrs Nathaniel Williams and Lloyd, wait upon his excellency governor, and inform him that the senate are in session, and ready to receive any communication he may think proper to lay before them.

The clerk of the council delivers the following communication from the executive.

IN COUNCIL, Annapolis, December 8, 1813.

GENTLEMEN,

In virtue of a resolve of the General Assembly at its May session, the treasurer was directed to borrow \$ 307,000. The terms upon which the loan was effected will appear by the report of the treasurer. As soon as the money was obtained, steps were taken to procure arms, ordnance and military stores for the state, and considerable purchases were made; but, owing to the interruption of intercourse between the states, they could not all be received in time to be sent to those parts of Maryland, which are most exposed to danger.

Soon after the adjournment of the legislature an order was passed for a return of the public records and papers to the seat of government, but in consequence of the approach of a considerable naval force of the enemy, it was found necessary again to order their removal, and they were sent to the town of Upper Marlborough.

It has been deemed expedient to direct from time to time a return of such of them as were necessary for the purpose of holding the courts, but the board has passed no order for the removal of the rest, and it is submitted to the legislature what shall be done in regard to them. It is certainly very much to be desired that the offices should be kept open for the transaction of business, but, besides the difficulty of removing the records from the seat of government, in time, when the appearance of the enemy may require it, there is a considerable danger of their being lost or destroyed by frequent removals: The legislature will see the necessity of making some further provision with respect to them. The resolution of the last session does not make it the duty of the officers to open their offices at the place to which their records are removed, and by confining the authority thereby conferred upon the executive to two counties, it has been found impracticable to procure the necessary accommodations for the officers.

The attention of the legislature will of course be directed to the militia system. In the present state it is almost a dead letter, and without power to compel the service of those who on sudden emergency, are unwilling to assist in the defence of the country. It is not and cannot be expected, that while those who understand the defects of the system contrive to avoid the service, others will engage in it with cheerfulness, and consent to bear an undue proportion of its burthen and sufferings. It was not designed by the wise framers of the constitution to leave it to each member of the union to defend itself, and after having surrendered to the General Government the most material sources of revenue, it is impracticable for the individual states to support the burthen of any extensive system of defence. It was therefore expressly provided that the United States should protect each individual state against invasion, and the militia or other force of the latter was designed to be employed only on sudden emergencies, and until the national government should come to its relief. If the expenses of a war waged by the national authority are to be borne by the states, it is not difficult to foresee that the state treasury will be soon exhausted, and the annihilation of the state governments must follow. We had an unquestionable right to expect that in a war declared by ourselves the nation would have promptly afforded us the protection which the constitution has so solemnly guaranteed to every member of the union. Instead of this however we have to deplore the ravages and distresses which have been produced in different parts of Maryland by the incursions of the enemy, and that its most exposed places have been left in a defenceless and unprotected situation.

Thus abandoned by the national authority, and without any well founded prospect of a speedy termination of the present disastrous war, it is for the wisdom of the legislature to devise some means of defence which upon any future invasion the state authorities shall afford. We may be permitted to recommend to the legislature the organization of volunteer corps of militia (to be mounted,) and which would at this time be found the most efficient force for the purpose of warfare in which we are engaged. In some places threatened with invasion, this species of force has been resorted to under an idea that it was authorised, and because found capable of performing the most service. The pay rolls of those men, when presented to us, we have been obliged to the necessity of rejecting, because the legislature had refused its sanction to their organization.

We would also call the attention of the legislature to those clauses of the militia law which establish the rules and articles of war for the government of the militia, while in actual service. We do not mean to question the propriety of such rigorous rules for the government of a regular army, nor do we mean to say that the militia, while in service, ought to be subject to the same regulations, but we persuade ourselves that the legislature can devise rules for the regulation of the militia, without depriving them of any of the essential privileges of freemen, and subjecting them for offences undefined, to the most cruel and opprobrious punishment.

We take the liberty also of submitting to the legislature the propriety of adopting a system of universal education. No subject upon which its wisdom can be employed is of more vital importance or can have a more imperative claim to its attention. Governments like those under which we have the happiness to live depend for their existence and prosperity upon the intelligence and virtue of its citizens, and to place the means of education within the reach of every description of the people, ought to be the primary concern as it is the unquestionable duty of the legislature of every free state. It is one among the many causes which we have for deploring the present