

fixed by law, each bank would have some security against the excesses of the rest, and might be regulated in its own operations, according to its actual capital and means. No bank ought to be permitted to issue, pay, or receive any note for a less sum than five dollars, under any circumstances; or to refuse to redeem its obligations, till its specie was entirely exhausted. It would then be seen which was standing on a solid foundation; whereas, at present, they are all placed upon the same footing and are covered by the same shield. They would be deprived of the power of drawing specie from other banks, while they were not paying it themselves; and relieved from the duty of deciding whether the public interest required them to suspend or resume. But no regulations or restrictions will avail, unless some means be provided for enforcing them; and unless the Legislature reserve the power to repeal the charter of every bank that violated the conditions imposed. The banks ought to be required to give their assent to whatever legal provisions may be adopted; and those which refused, would be left exposed to the penalties incurred, and be compelled to wind up their affairs; unless, indeed, their broken charters were found too strong for the power and authority of the State.

I have not thought it necessary to go into an examination of the causes which have led to the periodical embarrassments of trade, and to the late suspension of the banks. These subjects have been so frequently discussed, and have become so intimately connected with party questions, that nothing that I could say would change the opinions of other men in relation to the pressures and reverses that are continually taking place in the commercial world. An adverse balance of trade is more embarrassing to the banks now, than formerly, because small notes, in almost every State, have usurped the place of such silver coin, as on account of its weight, is fit for foreign markets. In meeting a foreign demand, the banks have no resource in the circulation of the country, and are obliged to furnish the requisite supply of specie out of their own vaults. No measures of the General Government or of the States, can prevent the evils complained of, while so many banks are in operation; while nearly the whole circulating medium consists of paper currency; and while the immense issues of State securities are disturbing the operations of trade, and causing money to ebb or flow, according to their rejection or sale in foreign markets.

There is another subject of importance, which, as it comes annually under consideration, will probably occupy the attention of the Legislature at the present session; I mean the amendment of the Constitution. Formed in the midst of the revolutionary war, for a country only partially settled, and for a people just emerging from a state of colonial dependence, it was difficult to adapt its provisions to the new character they were about to assume, and impossible to provide for the successive changes which time might produce in their condition. The mode of amending