

The Governor of this State is certainly not required by the constitution to communicate his views in relation to the public lands, or to transmit an annual message to the Legislature. As a justification for such a course, and for expressing his opinions in that mode, he can only rely upon the custom which has long prevailed, and upon the nature of his office. His annual message is expected as a matter of course; and in preparing it, he performs what he supposes to be his duty. If his object were to present only such views as were acceptable to the Legislature, he would find some difficulty in deciding what topics ought to be introduced or omitted; for the risk of giving offence is the same, whether he expresses his opinions or remains silent. Accordingly it happens, that while the committee on the public lands have censured me for *volunteering* my opinions on that subject, the committee to whom was referred that part of my message which relates to the tobacco trade, have expressed their regret that my attention was not turned 'to the examination of a subject' so 'deeply interwoven with the interest of so large a portion of the people of the State whose interest it is my duty to guard.' 'Indeed, (the committee add) the grievances which the history of this interest unfolds, should claim the attention of every one who feels, as he ought, for the welfare of the State.'

Then I am charged by one committee with 'forestalling legislative action,' because I ventured to examine the question of the public lands; and by another, with not having a proper regard for the welfare of the State, because I did not go into an examination of the restrictions imposed by foreign governments on American tobacco. A statement of the finances seems to be nearly as objectionable as an argument respecting the public lands. I gave an account of the revenue, expenditures, and debt of the State, as it was received from the Treasurer, without exaggeration or comment; yet the report, adopted by the Senate and House of Delegates, represents this part of my message as '*depicting*' 'the distresses and difficulties of the State in the *darkest and most sombre hues*.'

As the Senate and House of Delegates have 'proclaimed to the people of this State,' their unwillingness 'to concur with the Executive, in the surrender of claims which our forefathers asserted and maintained,' I will now show that instead of surrendering those claims, I asserted and maintained them in my message, on the ground and for the purposes set forth by the General Assembly at different times during the revolution.

The Convention of 1776, Resolved, 'That it is the opinion of this convention that the very extensive claim of Virginia to the back lands hath no foundation in justice, and that if the same, or any like claim is admitted, the freedom of the smaller States and the liberties of America, may be thereby greatly endangered, his convention being firmly persuaded that if the dominion over those lands should be established by the blood and treasure of the United States, such lands ought to be considered a common stock, to be parcelled out at proper times into convenient, free and independent governments.'

In December 1778, the following declaration was concurred in by the General Assembly: 'We will accede to the Confederation, provided an article be added giving full power to the United States, in Congress assembled, to ascertain and fix the western limits of the States claiming to extend to the Mississippi or South Sea; and expressly securing to the