

MESSAGE.

FELLOW CITIZENS OF THE

SENATE AND HOUSE OF DELEGATES:

We are deeply indebted, and, I hope, profoundly grateful to a Merciful Providence for the continuance, during the past year, of all those special blessings which, as a State and a Nation, we have enjoyed almost uninterruptedly from the beginning. At no period since its first settlement, has this Country ever received a greater measure of prosperity and happiness than it now possesses. Peace with all the world, and perfect contentment at home, are the choicest temporal gifts which the Divine Munificence can bestow upon a people. If we add to those, the innumerable blessings perennially flowing from the fountains of our free Government, and the extraordinary advantages meeting us at every point on this noble Continent, which has been confided to our Stewardship for the present relief and future greatness of mankind, we cannot fail to perceive and acknowledge the singular favor manifested in our regard by Divine Providence; neither can we prove unmindful of the corresponding obligations which rest upon us.

I earnestly invite your attention to the recommendations which I made to the General Assembly, at the Session of 1852, in reference to the criminal laws of the State, and the necessity for defining and enlarging certain powers of the Executive. In consequence of the pressure of other more important business, the Legislature, at that and the succeeding Session, omitted to give to the subject the attention which I think it demands. The experience of every day since has confirmed me in the views I then expressed. It is not a matter of speculation, but of positive conviction with me, that the remedies proposed in my Annual Message of that year are absolutely required for the proper administration of the laws in justice and mercy. Power should be expressly conferred upon the Executive to grant conditional pardons in all cases, as he is now authorized to do in cases of capital punishment, by the Act of 1787, chapter 17, and the Act of 1795, chapter 82. The pardoning prerogative vested in him, by the Constitution is general in its terms; and such questions are left to construction, or to legislative provision. It is not consistent with the theory of our Government that important powers should rest upon the uncertain and ever varying interpretations of public officers. Whilst you cannot abridge the prerogative, you are at liberty to enlarge the discretion of the Executive in its exercise, provided that, as in the case under consideration, it is not incompatible with the letter or spirit of the paramount law.

It is also necessary that provision should be made to remedy a severe grievance which has frequently been brought to my notice during my administration. I