

P 13225  
**SPEECH**

OF

**MR. ARCHER, OF VIRGINIA,**

ON

**THE BILL PROPOSING TO CONSTRUCT A NATIONAL ROAD**

FROM

**BUFFALO TO NEW ORLEANS.**

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DELIVERED IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES, APRIL, 1830.

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1921

## SPEECH

OF

### MR. ARCHER, OF VIRGINIA.

The bill for the construction of a road from Buffalo to New Orleans, being under consideration in Committee of the Whole—

Mr. ARCHER, of Virginia, rose and addressed the committee in opposition to the bill. He was by no means surprised at the manifestation, on the part of the committee, on a former day, of indisposition to bear with further debate. He believed he might truly say, that there was no gentleman on that floor, who, having been so long a member of the House, had been found more abstemious in debate than himself. Old a member as he was, his voice had scarcely been heard during the present session, save in matters connected with the committee to which he belonged. He felt, at all times, indisposition to address even willing ears, much more such as were unwilling. There were occasions, however, on which a public man ought not to be restrained, by minor considerations, from expressing his views of important public questions. He considered the present as an occasion of this description. It was his sincere belief, that there lay at the root of the present discussion, considerations which ought to be stated; to be stated freely; more, to be stated boldly. His capacities for public services, in any mode, he estimated as humbly as any man could do; but as regarded its responsibilities—in these, whilst taking a part in this service, he could permit no man to go before him. He should feel as representing unworthily the State from which he came, if he did so. That State had been accustomed to claim a place behind no other in the necessary assertion of truth here. He feared, that on the present occasion, however, the palm must be yielded to another State—to New York. He had been both struck and gratified by the tone exhibited by several gentlemen from that State, (Mr. MONELL, Mr. ANGEL, Mr. STORRS,) on the last day of the discussion. New York had only to exhibit, on all occasions, a similar spirit of uncompromising disinterestedness, in reference to the legislation of this Government, and she would indeed deserve the appellation of great, which it was becoming fashionable to bestow on her: for a State, like an individual, could be truly great, but by one mode—the practice of a real public spirit. More than one gentleman from that State had given, on the occasion alluded to, what he, (Mr. A.) feared was a just view of the question. The committee had been told, truly, that the question was not of the construction of a road, but of the erection of a great policy, of which the bill was

designed as the foundation. Of this policy, the road had been called the pioneer; and the appropriation demanded for it, the earnest money of a wide extending plan, of wasteful and selfish dilapidation of the public Treasury. Into the justice of these representations he meant presently to inquire. He must be indulged, in the mean time, in a word of exhortation to the gentlemen from New York, to whom he had allusion, and that was, to remain of good heart, even though their apprehensions should be verified. A predatory and privateering legislation might unfurl the flag of this system of internal improvement, and all would still be well, if their great State would ride by the side of the South in the battle, and partake cordially in the war for the preservation of the resources and purity of the Government.

The question, then, was on the foundation of an extensive system of the construction of roads by this Government. Not on the system in its fullest extent, however; it was admitted to be confined by a character of nationality in the works to be adopted. Mr. A. had no intention of going into the constitutional question brought to view by this remark. He hoped he had too just a taste to allude to any subject out of place; and it would be out of place to allude to the constitutional question in this place. Till some force of eloquence, like the fabled power of music in ancient times, could be found to awaken the stones around and bring the dead from the regions of darkness to light, let no chord of that discussion be struck. Till that time, let it lie by the wall. The general Government was empowered to make roads of a national character; this was the ground assumed. This requisite of nationality, it was impossible in speculative reasoning to deny. How far the condition had been heretofore, or was likely to be, observed in practice, every man was aware. Let it be supposed there were no constitution in this Government, and yet the complete system of State governments subsisting with it; would its jurisdiction, even then, extend to a concurrence in every function of the State government? Who could be so absurd as to suppose it? Who did not perceive that the States were at the same time separate jurisdictions, and parts of a general jurisdiction; and that there must be functions appropriate to each, and exclusive, respectively, of either, or why the superfluity of a double establishment of authorities, and worse than the superfluity, the mischief, as they must be perpetually in conflict with no line of demarcation? It would be the inevitable conclusion, therefore, that there was an appropriate province of jurisdiction for the nation as for the States, and when any function was presented for exercise, or act to be performed, the proper inquiry would be, to which of these it must be assigned. By what test was this to be decided? Obviously, by the purpose and *use* of the act or function. If the *results and use* were to be *national*, then the function belonged to the authority of the nation, and not otherwise. The use, then, was the test. The

application of this test neutralized the entire force of the argument of the gentleman from Pennsylvania, (Mr. HEMPHILL) by whom the bill had been introduced. That gentleman had contended, that the extension of a road into more States than one, of itself conferred on the road the character of nationality. But if it was the *use* which gave its nationality, then the mere extent of the road was entirely immaterial. A road of half a mile from a fort might have this character. A road passing through every State in the Union might want it. The truth of this remark was apparent. If the mere extension of a road made it national, as no road passed to the frontier of a State without the certainty of finding another there to meet it, every road to a frontier must be national. The principle from which this conclusion was drawn, proved too much; and must, therefore, be rejected. It was equally a mistake to maintain, as the same gentleman had done, that, in order to the construction of an extensive line of road by the States, it was necessary there should be compacts between the States engaging in the construction. Where was the necessity? If a road made to the frontier of one State met another passing to the frontier of the State adjoining, there was no need of State compacts. Yet, it was upon this supposed necessity that the argument alluded to rested for its support.

It was the uses of a road which constituted the test of its nationality. What were the uses supposed to be of this character? Three were claimed—war, the mail, and commerce between States. The conduct of war, the transport of the mail, and the regulation of commerce between the States, were uncontested national functions. Subservience to either of these, therefore, constituted a national use of a road. The question now, it was to be remembered, was not on the authority to construct roads for these uses; that, as belonging to the constitutional inquiry, was a point passed by. It was on the policy, the advantage, of instituting a general system of roads, or of the construction of this particular road in the bill. Did either of the national uses mentioned, or all of them demand either the general system or this road? These were the points to be considered. And first, of war. This was a national use. The nation might make roads for war, if, and so far as, the exigency demanded. And what was the character of this exigency: its extent? The exigency was to measure the policy, to determine the propriety of the particular road. Did this exigency demand a wide spread system of roads, (not in time of peace only) even in time of war? (The particular road would be noticed presently.) The exigencies of war, in this respect, were not only extremely limited as to space, but occasional only, and of uncertain and temporary duration. Could such exigencies found an extended system of roads; sustain a general policy in this respect? The exigencies of war, in particular circumstances, demanded the condemnation of private property; that the suburbs

of towns should be burnt. Would this justify a general policy of condemnation of property and burning the suburbs of towns in time of peace, or even in time of war, before a special case of the exigency arose? The argument was the same as to roads for war. The function was limited to the occurrence of the exigency, and measured by its extent. When special occasion arose for a road, the propriety of constructing it stood on this peculiar and isolated foundation, apart from any general and systematic policy.

Then as to the mail. Was any man found affirming that roads ought to be made for the mail merely, supposing this the only use for them? No one asserted this proposition. Every one would disclaim it: then there was an end to the suggestion of the mail exclusively furnishing the foundation of a general policy of making roads.

Next, as to commerce. The function claimed for the general authority in this respect, was to regulate commerce. Was not the construction violent which converted a power to regulate, into a necessity to make roads for commerce? Pass this by, however, as approaching the constitutional question. Subserviency to commerce between the States, was a national use. Did it require the construction, in policy, (for that was the question) of roads for this object, where there were none previously to be found—that is to say, where this fact proved there was no occasion for them? If there were occasion for roads, there would have been roads; or, if there were none in particular directions, no evidence could be better, that they were not demanded by the exigencies of commerce; the discussion, touching not on the mere improvement of roads, but the policy of constructing them. The system found, then, not a real warrant, but a color and a name only, under commerce.

Mr. ARCHER would now advert, he said, in the way of illustration principally, (the question engaging real interest relating to the general policy) to the character of the particular road which the bill presented. He should touch this point very briefly, as that which had been most discussed. If, as the opponent of the general policy, he had been called upon to state a case, to expose it, he did not know that he could have selected one more favorable than the present. A road from the City of Washington to Buffalo, national and necessary! Why? Because the mail has its centre of emanation at the Seat of Government, does it follow that munitions of war, and troops, and the course of commerce, must emanate from the same point? Commerce demanding the construction of a road from Washington to Buffalo! What proposition could be stated more ludicrous? The course of such a road would be transverse to all the commerce intervening between these points. Gentlemen designed to take from us all merit in defeating their system, when they rested it on such projects. Where were the terminat-

ing points, and, of course, the tracts and directions of war and commerce? Along, and at every part of the sea-board frontier, and the northern! Every road, leading to either of these destinations, was, or might be, subservient to these uses. Had either branch of the road in discussion a termination in one of these frontiers? Both branches had, but both at points the most remote from the centre whence they were made to emanate, by routes the most indirect—diagonal to the tracts, which commerce does, or war or commerce may be expected to pursue. Desirous to avoid detail, Mr. A. rested on the statement of the general incontrovertible proposition on this point. If the mere fact of a road terminating on a frontier, made it national, all roads with that termination were of this character. How many points were there in the Northern frontier of less importance than Buffalo? Was Buffalo the chief point in relation to military operations during the late war? Were there not points of superior importance higher up, and a large extent of frontier lower down, the Lakes and the St. Lawrence? Why not all the roads on this frontier be comprehended in the principle set up? Mr. A. insisted that they might. He affirmed the principle in its full extent. The only advantage of Buffalo, in relation to supplies of military munition or commerce, was, that it constituted the point of termination of the longest of the New York canals, forming the obvious and best channel of communication through the State from the sea-board; and of course, superseding the necessity for a road terminating at the same point.

Take the Southern section of the road, having its course through the centre and heart of the interior, it could have relation to war at its extreme point only, New Orleans; to which the proper and most available channel of supply of every kind was found, in the never failing and rapid current of the great stream on which it stood. Where tributary streams did not present themselves, or were deficient in water, the roads of the superior and supplying country, determined principally to this natural channel. Were other points of the seaboard threatened, the course of transportation would be across the route of the proposed road, which approached the maritime frontier, in a line converging, and not direct. The error of ascribing to either section of the road an important office, in regard to war or commerce, proceeded from considering Washington as an issuing point of either, as of the mail. This was a fallacy, yet the sustaining principle of both branches of the road. The streams of defence or commerce had Washington for their source no more than routes transverse to the direct approaches of the Northern frontier or seaboard for their tracts, or single points on these borders for their termination. The supplies of either would have reached their destination, in time to have

accomplished their purposes, before the laggard course of this road could be traced.

His purpose to this point had been, Mr. A. said, to strip the system he was combatting of unfounded pretensions. The value of internal improvement, by roads, it was to be remembered, formed no part of the question. The question was, whether this Government should assume the function of making them. If it did, the benefit represented was, that another agent, with its funds, would be added to the States; but this benefit would be realized to a very partial extent only. Why should the States apply their funds to the object after it had been settled that the General Government had taken on itself the office? Would not the States, in prudence, wait for the action of the General Government, and expect their improvements from its funds? There was but one consideration to prevent, that the General Government was to be limited to works national in their character; but that this limitation would be nominal merely, we were already instructed by the highest information—no experience. The question was, therefore, not so much whether the General Government was to be added, as whether it was to take the place of the States, in the office. The inquiry was not of a gain, but a substitution of an agency for others. And which of these functionaries, the General or State Governments, was the better fitted for the conduct of operations of this kind? Why was it admitted universally that an individual, or body of individuals, were better qualified than any Government, or than any corporation even? and a corporation better than a Government? All consent to the fact; and why? The proposition is established in reason as well as experience. The more general and remote an authority, the less its qualification for an executive function of complication or detail. It must be so in the nature of things. The superiority of the resources of the General Government was suggested, however, as the counterpoise to the admitted force of this objection to its energies in the policy of internal improvement. But why and whence this superiority? The common fountain of resource is the pockets of the people. If the General Government had any superiority of resource, then it had only to remit taxation beyond the demand of its peculiar and proper occasions, and the superiority disappeared.

An advantage not inferior was claimed for the General Government, as regarded the modes of raising money, from its exclusive control over imposts, which were considered at once the most prolific and accessible of the sources of revenue. What was the real advantage of this over the modes of direct taxation? It would be found to consist in the operation being covert, and the contributors not knowing what they paid. That is to say, the recommendation of this mode of raising revenue, was its delu-



sion—that it cheated those it fleeced. He would not, Mr. A. said, affirm it to be desirable, that the General Government should be divested of this resource altogether. It might be indispensable in war, when all resources were demanded; or in debt of large amount which war might leave behind it; or occasionally as an arm of defensive, countervailing, commercial regulation. But when demanded by no imperious consideration of one of these classes, he did affirm, as his deliberate opinion, that the suspension of this mode of raising revenue would be attended with decisive advantages. A Federal Government was too remote from the people; and wore, to their view, too much the aspect of an unrelated Government, to be supervised with the rigor which, more than any other, it demanded. It was of peculiar importance, from this cause, that, as regarded its modes of raising money, there should be no disguise; and of application of it, no extraordinary liability to abuse. Duties were a disguised mode of raising money, and internal improvements a mode of application of it, in the highest degree open to abuse. Why this last? Because works of this class demanded large disbursements, continued for long periods, and in complicated forms. Disbursements, in these circumstances, invited the attempt at abuse, and facilitated success—because the operations which works of internal improvement required were of a nature which, from their difficulties, removal from common knowledge, complexity, and the number of persons, and extent of agency demanded, did not readily admit economy, and did readily admit infidelity, as regarded both their execution and management. The General Government derived, therefore, no recommendation for the office of internal improvement, from its peculiar control over imposts, more than from the nature of the function to be exercised.

A further recommendation of the prosecution of internal improvements by the General Government had been urged, from the supposed tendency of this policy to introduce affinities of intercourse and interest between quarters, not otherwise intimately related, and in this manner to exert an influence conducive to the harmony and cement of the Union. There could be no higher recommendation, if it were well founded, certainly. But was any influence of this auspicious character to be justly ascribed to the operation of the policy? Was not the real influence exactly the reverse? The different quarters of the Union had very unequal occasions and demands for internal improvement. Some had accomplished, or nearly so, their whole occasions of this description. Would a spirit of concord be diffused in *these* quarters, by the spectacle of large and continuing appropriations, of the common revenue, in modes in relation to which they had no participation of interest, in the objects, or in the disbursements? Was a patient condition of feeling in these circumstances to be expected? Jealousies and

discontent—would not the occurrence of these be inevitable? This was in the supposition of honest administration of the system. But how strong were the inducements to dishonest administration. To carry on the system securely, discontents would have to be appeased, or repressed! By what methods? By gratifications to lull, or interested combinations to stifle their expression. Where, too, was the limit to this evil in degree or time? Such a system prove a source of harmony! a cement to the Union! This was estimating the operation of scrambles of interest very strangely! not harmony, but excitement, open or concealed distrust, and under outside amity, smothered hostility, these were the fruits. An extensive system of internal improvement in the name of harmony! The cry would, indeed, be “peace, peace, when there was no peace.” No! such a system would prove eventually as fatal to the harmony as the purity of the Government. The Union would not break—that would imply a remaining solidity of consistence—it would dissolve, under this influence: for rottenness does not break, but loses its coherence of parts, from loss of the principle which cemented them!

But, waving other objections, supposing the policy good and wise, have gentlemen familiarized their minds—he might say their nerves, to the complication of parts the system will involve? If this Government have roads, it must have supervisors of them. This very road will demand a number. The thousand which will be made to connect with it, the tens of thousands of which the principle which gave this birth, will be prolific, what armies of officers must they call into being! Where is the complication of this system to have its end? Where the patronage, to call it by no harsher name? Were Congress converted to a Board of Public Works, where would room be found for this new office? The Executive employed in its function of appointment, would not its hands be filled?

But furthermore, the roads constructed must have provision for their protection. They can not be left destitute in this respect, as the history of all roads of expensive construction proved. But the office of protection, it could not be confided to State regulation. This might be inadequate, or in its exercise remiss. A State might have no interest opposed to a road, being placed in a condition to demand repair, or even a direct interest of reverse character, from the advantage of the expenditure which this purpose might require. It might be jealous, moreover, of the competition of Federal roads with those constructed by its own citizens or authority. There must be safe guards against all these contingencies. It had been decided in the courts, that State authorities could not be compelled to give effect to the laws of the United States. They might assume and exercise this office, but it was optional. This option, however, had reference to laws of civil character only. As regarded those of penal character, it was uncontested, that

the State courts could not have jurisdiction given to them, though they should be willing to exercise it. It would be an anomaly, said the lawyers, for one political authority to execute the penal laws of another. But the regulations required for the protection of roads, demanded penalties. They could consist of little else than the denunciation and enforcement of penalties. In proportion to the multiplication of roads, these would have to be argued not in number only, but severity, also. The States were precluded from the office of their enforcement—what remained? This Government must have a system of road police of its own, courts, and officers, and force. Its present paraphernalia in this respect, would not suffice. Its courts and officers were too few, at distances too remote from each other, and from the scenes in which they might be called to act. Then distinct judicatures, and officers must be established for this special purpose, and provision made for the maintenance of their authority. And all this complication of arrangement was to be encountered, for what? For maintaining this Government in the exercise of a function, to say the least, demanded by no necessity, as the States could perform it very well, and for which, for the very reason that it is the General Government, it was wholly unfit.

Such was the character of this policy of internal improvement, to be executed by the Government of the Union! And now the question naturally arose, said Mr. Archer, in what manner it had happened, that the policy had not only been proposed, but, to no inconsiderable extent, adopted, and carried into practice? He was brought to this view of the subject, little agreeable, but most important. It had happened, by a peculiar coincidence, that the French Revolution, the parent of so many important consequences, had its birth in the same year with the Constitution of the United States. The agitations growing out of this event, it was known, had given the fullest employment in attention to external relations and interests to the governments with which we were most connected, and our own. Small scope remained for attention to subjects of mere interior concern. This state of things subsided with the general peace of 1815. This subsidence, in its general character and aspect so auspicious, was attended, however, with an incidental effect of most injurious operation. It led in this, and most of the European States, to the adoption of what is known as the protective or Tariff policy. He was not going into any discussion on this point, however invited by the allusions of the debate. Why, when so many, his superiors in judgment, retained the excitement which perseverance in this policy here had awakened; why was he calm and at ease, though partaking entirely the reprobation of its principle and operation? It was from the conviction, that, in a free State, truth and public interest must eventually vindicate themselves. He had, therefore, no question that this policy must eventually frustrate itself. His be-

lief was undoubting, that, in a period which he hoped would not be very long, many, who were now most forward in pressing and maintaining this system, would be ashamed to avow they had been its friends. We had some foretaste of this result at this session, in the invincible repugnance which had been manifested over and over again to bring the practical operation of the system under discussion. The time would come, and probably before the discussion would be permitted, when there would be nothing remaining to discuss. To return to the subject, however, the best and most beneficent institutions were never found exempt from a mixture of evil operation; nor was our excellent federal system exempt from this common law. The subsidence of the excitements growing out of a general state of war, by general peace, had left government here, as elsewhere, room for the exercise of its energies in interior operation. Government could never be sufficiently imbued with the important truth, that its greatest evil was over action; nor men get rid of the belief in which they were bred, that they were to regard its operation as the positive source, and not merely the guardian of their prosperity. Its proper beneficial province was in preventing intrusion, keeping hands off, its own, as well as the hands of others, from individual exertion and its fruits, which formed the real sources of all public as well as private prosperity. If he were called upon to state what had been pre-eminently the curse of human society, he should say too much government, and that produced, in a great degree, by the *epidemic* phrenzy of believing that its operation was an active principle of prosperity. Our federal system was liable, in a peculiar manner, to mischief from over action. From the vast and varied extent of surface it supervised, it embraced, necessarily, an unusually great diversity of interests—so great as, in some instances, to become inimical. This must, of course, happen in a greater degree, and there would be a greater warfare of these interests under a federative system, than any other. Contiguous interests were little disjoined, or easily reconciled; not so of the remote, which a Federal system comprehended. To what did this lead? It had been said, in relation to religious sects, that their diversity and multiplication were the safety of the State, because, if any one aim at ascendancy, the others will be in activity to arrest it. But this remark was not transferrable to interests of social character. It was true of religious sects, because it belonged to their nature to refuse coalescence, and the more violently, as they approximated accordance in their tenets. The observation had held over the whole world, in every region. But social interests observed no such law, and least of all under a federative system. They are widely dispersed, moderated by none of the affinities which neighborhood engenders, even among opposing interests. Each seeks its gratification. How are they to attain it? There was but one

mode of any extensive success, and that was by the coalition of several, making the weak strong, and the strong safe. This mode had the advantage, besides, of *extenuating* responsibility and shame. Men were emboldened to do what, without this principle of support, they would hesitate to avow to their own thoughts. The principle itself was of inevitable operation in our system. Take that one of our public concerns which, in point of interest, had come nearly to absorb every other, as an illustration—the election to the Presidency. How much had this to do with merit in the candidates? Every body knew that was of subordinate consideration. No man in a sphere so diffused, by personal merit or qualification, (excepting always the influence of Revolutionary service, or some signal achievement) could command a popularity sufficiently general to ensure success. Why? Every quarter had its pretender, limiting the circle of pretension of every other. How was any to attain the *goal*, in the jostle of movement on the common object? It was only to be achieved by combination of countervailing or separated pretensions, till a predominance was created. The *lever* of some powerful motive must be set at work to roll the logs together, till the pile was raised to the required elevation. Did he mention this in any way of stigma to individuals? Not at all! He stated it, Mr. Archer said, as an inevitable infirmity of our form of Federal Government. The thing was not so by accident or occasion, but necessity. So far from quarreling with what was inevitable, for one, he was disposed to turn it to account; for there was no form of evil, from which good might not be extracted for its alleviation. He was willing now—at any time, he avowed it, to go into coalition in relation to the election for the Presidency. Not for a man! He was done with solicitude as related to particular men. Of that folly, he was cured completely. He only wondered how he could ever have fallen into it. Individual men (with very rare exceptions) must submit to the control of circumstances—operating for an object so alluring, what policy could they be committed to, which would not bend to that which was personal—the extension of connexions—the debilitation of rivals—the advancement of pretensions. He mentioned this as no peculiar reproach. The thing, he repeated, was inevitable—must be so. Although he was ready and ripe then for coalition in reference to the Presidency, it should not be on the pretensions of any individual. But, if a candidate who promised to bring weight to the election, stood committed by position, not profession, (for that he should have little value) to vindicate interests and principles, which he (Mr. A.) considered as suffering injustice and oppression from the present operation of the Government—for any candidate in these circumstances, he was willing to go into confederacy. If any candidate, standing in this commitment, promised strength to tear away this *parasite* Tariff, which wound around

the trunk of the Union, to suck out its vitality—for this candidate he would go into coalition. If any promised weight to sink this *picaroon* policy of internal improvement, for him he would go into coalition.

He had been led (Mr. A. said,) into this course of incidental remark, in the way of illustration. Having no personal interest to serve or injure, it was no merit that he spoke with unreserve, and with entire indifference to whom he might give offence. The proposition he wished to inculcate, was this: that coalition among special interests, embraced by our wide extending system, to obtain ascendancy at the expense of others, or the general interest, was an inherent evil of the system—the qualification to its otherwise transcendent excellence. In the theory, the strength and counsels of all were to be combined for the safeguard of each; but the operation did not correspond to the purity of the theory. It was this circumstance that furnished the key to incidents, which had given so much occasion to surprise, in our proceedings here. The smallest sums of money would sometimes be denied to the most essential public service, and the most prodigal grants made the same day, in lands or money, to schemes having obviously only doubtful or inconsiderable claims to favor. The solution was no secret to persons familiar with the scene. The disbursement in these cases furnished the motive—was the benefit contemplated, not the nominal object to be effected. Let the pension system be an example. This system, as regarded the selection of subjects, in reference to indigence merely, was said (he believed truly) to have had its origin in a mistaken estimate of the numbers it would comprehend. Unceasing efforts were made of late, notwithstanding this fact, to enlarge its comprehension. Had these efforts any connexion, as the aspect imported, with zeal to provide reward and relief for revolutionary service? No one was imposed on by pretence of this kind here. The real inducement was known to stand in contrast to any impulse of enthusiasm or generosity. It was a simple principle of pecuniary calculation. The purpose was to transfer a heavy poor rate to this Government, from quarters, in which the burthen pressed unequally, if each sustained its fair proportion; and then by extension of the principle, to augment to the utmost the benefit from the disbursement. There were of course exceptions, and a mixture of motive, but this was the leading one. A bill had passed one branch of the Legislature, at this very session, to enlarge the limit of indigence, entitling to relief, to a 1000 dollars—a sum which would be regarded as independence for the body of the population any where else, though it constituted *legal indigence* with us. If the extension had been proposed to a larger sum, within any boundary that would not threaten counteraction from public indignation and shame, the success would have been no less unequivocal.

The expenditures for fortifications illustrated the same course of remark.

They had amounted to a large sum, say nine millions of dollars; yesterday a very moderate addition to the appropriation for arming, that is to say, rendering really effective and ready for use, such as had been completed, had been refused by a large vote. There was no extensive interest engaged in the founding of cannon. The benefit from the disbursements for fortifications had been widely diffused, and the ground therefore was adequate for sustaining them.

What, then, (inquired Mr. ARCHER,) was the real evil principle of our General Government? It was, that the National Treasury came unavoidably to be regarded in a foreign, rather than domestic aspect—as something different from the State Treasuries; and that combinations would be in perpetual generation or activity, to subject it to contribution. His colleague (Mr. BARBOUR) had opened this view. He would take occasion to give it expansion and development. It was inevitable, that the disbursements of the Government should be distributed with great inequality. The largest grew out of the public debt. The debt would accumulate with the accumulations of capital, necessarily, that is to say in the region of commerce—on the seaboard. The naval expenditures, and those purely commercial, must follow the same course. The same frontier presented the quarter most demanding preparations of defence. The disbursements of military character, therefore, whether for fortifications or the maintenance of troops, must, a large portion of them, seek the same direction. The seaboard must be the scene of the larger expenditures of the Government; the region to profit by their direct influences. Not the whole seaboard, however, in equable proportions. To the South of Norfolk, in Virginia, ports occurred at remote distances, and not in circumstances favorable to the attraction of the Government disbursements. The direct benefit of these disbursements, must, therefore, be realized unequally low even on the seaboard confined to the North. The interior and extreme West were nearly excluded from participation of it. Did he state this in any way of censure or arraignment? Not at all. This course of things was inevitable. The revenue, however, presented a very different history, as regarded the source of its supply. The great mass of it was derived from the duties on imports. The exports furnished the imports. Agriculture furnished the great mass of the exports. It was taxation on agriculture therefore that supplied nearly the entire amount of the revenue. It was in a peculiar degree, too, the character of agriculture, to consume the whole amount of its production; and the market for it bring chiefly foreign with us, the great mass of this production paid contribution to Government, in the duties on the returns, procured by its exportation. A much larger proportion of the revenue of agriculture sustained this burthen, than of any other occupations. Much of that of commerce, was derived from a further

charge on agriculture, and exempted; and manufactures had not yet obtained external markets to a considerable extent, and, therefore, paid nothing in this way. Whilst, then, the commercial portion of the community, constituted chiefly by a part only of the seaboard, received the larger proportion of the revenue of the nation, the agricultural and interior paid nearly the whole. Could this inequality fail to be felt with sensibility? That was not to be supposed, and this sensibility was becoming the germ of the most menacing evils. The quarters which received most liberally from the public disbursements, had the appetite for them *whetted*, not gratified. The parts which received nothing, or the least, anxiously sought indemnity. How was this to be obtained? By swelling disbursements in their own directions and neighborhood, beyond occasion, or creating them, when not required. Sympathies of artificial character tended in this manner to distend and multiply the expenditures of the Government. Disbursement became a thing good in itself, *per se*. Not one, but many interests were engendered, in public prodigality; and what was worse, these interests ran inevitably into combinations, for mutual sustentation; that is to say, into that state in which factitious strength was acquired, and restraining shame was removed! Profusion on the part of the Government was rendered an interest to be nurtured and protected, by the proper guardians of the State, in the focus of its safety, its halls of Legislation! And how nurtured? How protected? Nurtured in corruption; protected by audacity! And where was the chief channel of this profusion, and main organ of its introduction as a system, to be found? The fact was notorious, (Mr. ARCHER said,) and his should be the voice, to resound it through the land; this channel and organ were to be furnished by an extended application of the policy of Internal Improvement. *This, this* was the forehead, on which public reprobation ought at once, and deeply to burn its stigma, for scorn to point "his unmoving finger at."

Reverting to this topic, one thing there was, he said, remarkable about this business of Internal Improvement; that, even in circumstances the most favorable, and in regard to projects, the best conceived and executed, it was found, in a calculation of cost and profit, to prove a losing business. It did not make returns conformably to the average of ordinary pursuits on the capital invested; and this, with inconsiderable and not frequently occurring exceptions, was the just test in regard to the public, no less than individuals, of a good or bad business. Its capital was the source of the wealth of the nation. Whether employed by the public or individuals, if any portion did not return the ordinary and average rate of interest, the investment must, in the general, and excluding from view peculiar circumstances, be regarded as injudicious. Of the fact of the inability of even the best devised and most valuable works of Internal Improvement to sustain



this test, a very remarkable and entirely authentic evidence had just been furnished in New York. He referred to a report of the canal commissioners of that State, made the past Winter, in answer to a call of the Senate. The canals of the State, it appeared, not only did not reimburse the annual expenses and interest on the capital disbursed: it was made a question whether, by any augmentation of tolls, they could be made to do so. If improvements, giving the largest and best founded promise; executed on the best terms; pervading an extensive and rich country; (he had seen and could vouch from his own view,) commanding the transport of the products of a large part of a continent—if improvements, in those circumstances, marked by a distinction so peculiarly favorable, were found to fail under the common test of judicious investment, what was to be said of all others, inferior in pretension? And yet more; for a general system, spreading every where, and embracing every description, as well as variety of projects, bad as well as good?

In New York, a question was agitated not merely of the propriety of taxation, in aid of the proceeds of the canals, but of a character yet more calculated to produce disturbance. It related to the confinement of the taxation to the tracts more immediately benefitted by contiguity to the canal, instead of making it a general burthen on the State. The temper which must grow from a discussion of such a character, was easily appreciated. Yet this was the system, failing under circumstances the most favorable to pay, and threatening, even in the contracted and homogeneous sphere of a single State, to create disturbances, which was recommended as a bond of concord, as well as a source of profit, in a political community, contributing in different proportions to its expense, and deriving unequal advantages from its operation. Neighboring interests, which, when not intrinsically related, ran into easy reconciliation, were thrown into jar by it; yet its tendency to harmonize interests remote in position, and dissociated by character, was a principal argument in its support! Such was the logic which self interest employed, when disposing of other interests, or those of the public!

Truly, said Mr. ARCHER, the best ground of vindication on which to place such a system, was that which had been, in effect, assumed in the debate, and formed the real inducing consideration—its tendency to equalize the disproportionate and unfair disbursements of the Government, as regarded the different quarters of the country. He really esteemed this principle of defence, as colored with the most plausible show of reason and fairness. The gentleman from Tennessee, (Mr. ISACKS) with honest frankness, had stated this as a leading consideration in its support. He, (Mr. A.) did not refer to the declaration with censure, but commenda-

tion. It proved what he knew of this gentleman well before; that he was of too manly a character to refuse the avowal of a motive on which he was willing to act.

[Mr. ISACKS explained. He had indeed adverted to the expenditure of the public money, in the West, as one beneficial consequence attendant on the proposed measure, but he never insisted on that as the primary consideration which induced him to be its advocate.]

Mr. ARCHER resumed. He was willing to trust to the considerations he had been stating, for evidence of the true character both of the general policy and particular measure. But if the equalization of disbursements were to be admitted as any part of the inducing consideration, then he asked, whether this principle might not be expected to lead to a careless selection of routes for roads, and an equally careless construction of them? Would not the temptation be strong to remissness, not to say abuse, in the exercise of either function, that the expenditure might be renewed?

But this whole policy of Internal Improvement, was itself but a part, an instrument of a farther and larger, covered by a fair name, "the distribution system." Internal Improvements supplied though a large, yet only a partial waste of revenue. This "distribution system," was designed to comprehend the scattered streams into a current, which should discharge the entire reservoir. Trace the principle in its relation, to its first object, the public lands. Particular States had ceded to the General Government large tracts of territory. If the principle of this policy of distribution were just, then after these cessions, on the very day in which they had been made—ay, in the same hour, and before the ink of the signature were dry, it had been in the competency of the General Government to cut up the property among the States, returning their ratable shares to the proper owners of the whole. Was there a sense of justice so torpid, as not to be awakened to indignation at the statement of such a proposition? And yet, if it were competent to the General Government now, it was equally competent then, to perpetrate this insolence of injustice. This proposition, coming as it did, from a quarter in which no cession of lands had been ever made, might be supposed to labor under some defect of modesty. It stood entirely acquitted, however, upon this score, by comparison with another, having reference to the same subject of the lands. He alluded to the claim advanced recently in some of the New States, to the property of the whole of the public lands comprehended within their respective limits, as a result of the character of sovereignty which the United States had conceded to them, with this very condition annexed, of the reserve of this very property. A relation of war between States, exposed to *seizure and forfeiture the property of either within reach of the other*. A relation of the

closest amity of incorporation into a common political community, operated the same effect according to the principle of the doctrine alluded to.

The distribution system in relation to the final object of its grasp, the surplus revenue as the first, the public lands presented the same character. The distributable portions would be restored by a varying rule, and in different proportions, therefore, from those in which they were received. In the instant in which they were obtained by the one rule, they might be restored by the other, and the same parties receive more or less than they had contributed. Was not the inducement, then, decisive, to derive revenue, to tax for no other purpose than to distribute? What was to obstruct? Or where was to be the limit to this sort of operation? The quarters deriving unequal advantages, would they not sustain each other? If it were one of the recommendations of Internal Improvements, that they operated to equalize the disbursements of the Government, here was an operation of an efficiency yet more extensive, by which more essential inequalities might be redressed. Were different quarters of the country in different conditions, as regarded pecuniary resources and wealth, from variety in the character of their products, the forms of their industry, or other causes, here was an engine of easy application for introducing a republican level, by the direct transfer of the redundancy of some parts, to compensate the deficiencies of others. Where was the stopping point to men who would contemplate a policy founded on such a principle? was there any? And what must the men be, who would submit to its exertion on them? A large proportion of the national revenue was derived from the labor of slaves. Two-fifths of these would not be counted on the proposed principle of distribution; that is to say, their owners, and through their owners themselves, would be excluded in this proportion, from participation in the fund, raised from the fruits of their own industry. This system had been proposed—much argued—was almost certain to be fastened on us! We were destined, if it were, to realise the mis-adventure of Sinbad, the famous sailor, (with whose story we were so familiar in our early days) when he encountered the old man of the sea. The monster mounted on his neck with a pressure, which no effort could shake off, and rode him with a remorselessness, which no powers of endurance would long have been able to sustain. Sinbad contrived, by intoxicating the incubus, to destroy him. The case we were likely to present, was, in every respect, correspondent; the infliction no less remorseless; the relief no less hopeless, unless the *drunkenness of triumph* should unlock the death-grasp from our necks, and assist us to tumble the oppression from its seat. Sir, I have been asked, said Mr. ARCHER, in relation to this road, whether, as my State denied the constitutional authority on this subject of roads, she would not prohibit the construction of the

part which fell within her limits? I have invariably and promptly answered, no. For that would be to resist the laws of the Union. I have been asked, whether we would not resort to the nullifying doctrine, so much of lately? My answer, with equal promptitude, has been, no! For that would be to refuse obedience to the laws of the Union. Virginia, whilst she feels, with the keenest sensibility, the irregular exercises of authority by this Government, of which she complains; whilst she will continue, as she has ever been, foremost in vigilant and strenuous interposal, to arrest all exercises of similar principle, will afford the spectacle of precedence too, in endurance and in patience. Whilst evil is sufferable, she will suffer; pursuing, in the mean time, her true doctrine of '98, to use every effort, short of force and disunion, "to arrest its progress." She did not relinquish the hope that the time would never come in which she should be driven to resort to any doctrine of character ulterior to this. If it did come, she would make this resort in sorrow. She invoked the sense not of justice only, but stronger—of superior benefits, and real interest, to subdue the spirit of combination for peculiar advantages, which was the evil genius of our Federal Government. And, as the *instant evil* was the first to be regarded, she prayed heartily as he, (Mr. A.) did, that sinister omens might be averted; and this policy of Internal Improvement might not be made, as was threatened, the instrument to wrench to pieces a frame of polity, inexpressibly admirable, which formed the fortress not only of our safety, but of the hopes, and the cause of freedom in all time, and through the world.