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CONGRESSIONAL.

SPEECH OF MR. YANCEY,

OF ALABAMA,

In the House of Representatives, March 10, 1846—On the bill making appropriations for certain harbors and rivers.

The House being in Committee of the Whole on the state of the Union, Mr. YANCEY obtained the floor, and addressed the committee as follows:

Mr. CHAIRMAN: The principles involved in this bill have ever met with strenuous opposition from the republican party. From the days of Mr. Jefferson until now, whenever asserted they have been combatted. No subject of legislation has ever called forth so often the executive veto; and for the reason, that owing to the numerous pecuniary baits held out in such bills, they have been able, like a rolling snowball, which gathers up in an incongruous mass even the dirt over which it passes, to strengthen themselves by support from all sections, by blending the legitimate and illegitimate sufficiently to pass to the executive, with whom such considerations have less weight, and there to meet with their quietus.

I shall not enter at length into the constitutional argument, so well sustained by my colleague, and by my friends from South Carolina and Tennessee. In that argument they have such men to countenance them, as Jefferson, Madison, Monroe, Jackson, Van Buren, and President Polk.

In the latter days of his life, Mr. Jefferson warmly approved of Mr. Van Buren's course in opposition to the system.

But the gentleman from Indiana, with a boldness peculiar to him, and with a want of reverence for the hallowed names of the past, I may say peculiar to him too, places this power under that "to declare war," to "raise and support armies," and "to regulate commerce with foreign nations, and among the states."

Sir, Mr. Madison, in the 41st number of the Federalist, denominates this reasoning by implication, by which power to do every thing is thus deduced from an enumeration of specific powers, as an "absurdity." I read from that number:

"It has been urged and echoed, that the power 'to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States,' amounts to an unlimited commission to exercise every power which may be alleged to be necessary for the common defence or general welfare. No stronger proof could be given of the distress under which these writers labor for objections, than their stooping to such misconstruction."

"Had no other enumeration or definition of the powers of the Congress been found in the constitution than the general expressions just cited, the authors of the objection might have had some color for it, though it would have been difficult to find a reason for so awkward a form of describing an authority to legislate in all possible cases. A power to destroy the freedom of the press, the trial by jury, or even to regulate the course of descents, or the forms of conveyances, must be very singularly expressed by the terms 'to raise money for the general welfare.'"

"But what color can the objection have, when a specification of the objects alluded to by the general terms immediately follows, and is not even separated by a longer pause than a semicolon?"

Such are the sound common-sense views of one of the most illustrious of the framers of the constitution. He denounces "the idea of an enumeration of particulars which neither explain nor qualify the general meaning, and can have no other effect than to confound or mislead, as an absurdity, which, as we are reduced to the dilemma of charging either on the authors of the objections, or on the authors of the constitution, we must take the liberty of supposing had not its origin with the latter."

We thus see that this system of implication-reasoning has been held up while the constitution was undergoing the ordeal of ratification by the several States, as "*an absurdity*," and that the authors of it, who make the power to "lay and collect taxes, imposts, and excises, to pay the debts and provide for the common defence and general welfare of the United States," include large grants of power not expressed, are spoken of as "stooping to such misconstructions."

The above clause in the constitution is the one under which the gentleman from Kentucky, who reported this bill, [Mr. TIBBATTS,] claims power for this government to carry on works of internal improvement. That clause clearly specifies a power to collect taxes. The succeeding articles all give the objects for which the taxes may be raised—some fourteen, I believe, in number—but not one even hints at a power to collect taxes for purposes of internal improvement. These succeeding articles, Mr. Madison says, are all "*specifications* of the *objects alluded to* by those general terms." If so, (and who here can gainsay such venerable and illustrious authority, of one, too, who had a hand in framing the constitution?) and you find no specification conveying power to collect taxes for commencing and carrying on a general system of internal improvement, have we a right to interpolate one by that implication mode of reasoning, which Madison denounced as "an absurdity?" Certainly, its exclusion under such circumstances, by every rule of legal and constitutional construction, is conclusive against it.

I will refer again to the positions assumed by the gentleman from Indiana, [Mr. PETTIT.] He claims this to be a grant implied under the power "to declare war."

What is the power to declare war? Is it complicated? Is a road or harbor necessary to its exercise? By no means. On the contrary, that gentleman and his compeers in legislation, have already given us a sample, in debate at least, of the extreme simplicity of the operation, in which neither ships, men, nor money were deemed at all necessary to be considered in entering upon such a grave matter as a war. Were the framers of the constitution driven to such desperate shifts as to leave a subject of such vast magnitude, involving taxation to an almost unlimited extent, to be implied by so forced an implication from such insufficient grounds? Why, sir, one would suppose that, under the power to declare war, the first and most natural implication would be a power to "raise and support armies," and to "provide and maintain a navy." But were those powers left to implication? No; for they are expressly given; and if the convention did not choose to leave even powers so naturally to be deduced from the power to "declare war" to be implied, how can any one so far strain the point as to imply under it so entirely extraneous a power as that of purchasing a canal, or improving a river, or harbor? Indeed, the gentleman must have been "in distress," as Mr. Madison well observed, to "stoop to such misconstruction."

But he claims it under the power "to raise and support armies." Is this a necessary power to carry out that grant?—for I believe you can only imply what is necessary to enable Congress to carry out a specified power.

Is it necessary in this case? Can you not raise men for your armies without reference to a power to dig canals or improve a river? I think that experience has shown that you may. A recruiting officer has not yet, I believe, found it necessary to entice citizens to enlist to inform them of our system of internal improvement. We have gone through three wars successfully, (if I may denominate our brush with France a war,) before the system had been acted upon, or conceived even, to the extent to which it is now pushed. Our foreign commerce and internal taxation have borne the burthen of them. The only powers which are clearly deducible from this power, are such as the right to pay the soldiers—to offer bounties for enlistments—pensions as inducements to, and compensation for, acts of heroic daring—to build armories, forts, &c.

Driven from this point, however, the gentleman from Indiana flies to another for refuge, and shelters his bantling under the power "to regulate commerce with foreign nations, and among the several States," &c. The general argument I have urged will apply to this position also; but as weight of authority may have more weight with the gentleman than even irrefutable argument, I will again read from the 42d No. of the Federalist, by Mr. Madison:

"The second class of powers lodged in the general government consists of those which regulate the intercourse with foreign nations—to wit: to make treaties, to send and receive ambassadors, other public ministers, and consuls; to define and punish piracies and felonies committed on the high seas, and offences against the laws of nations; to regulate foreign commerce, including a power to prohibit, after the year 1808, the importation of slaves."

You find in the above list of specifications, which are so naturally inferred and deduced from the power to regulate commerce with foreign nations, no power to build harbors, or dig canals, or lengthen rivers for the benefit of foreign commerce. It only prescribes a power to regulate the manner in which our intercourse with other nations should be conducted.

As to what that other branch of this clause means, which gives Congress power to regulate commerce "among the several States," the same authority says: "Under this head may be included the particular restraints imposed on the authority of the States, and certain powers of the judicial department," &c.

"The defect of the power in the existing confederacy to regulate the commerce between its several members is in the number of those which have been clearly pointed out by experience." "A very material object of this power was the relief of the States which import and export through other States from the improper contributions levied on them by the latter."

This is the sole view pointed out by the distinguished commentator. It was the sole reason for the insertion of the power; experience of the kind having proved its want in the articles of confederation.

I will briefly urge another view of this subject. The friends of this bill contend that Congress has the power to purchase a canal within the jurisdiction of one of the States, and to exercise exclusive jurisdiction over it. Among the specified powers given to Congress is one to make certain purchases and to extend the federal control over them. It is the following:

"To exercise exclusive legislation in all cases whatsoever over such district (not exceeding ten miles square) as may, by cession of particular States, and the acceptance by Congress, become the seat of government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other useful buildings."

Now, sir, in the above, the constitution, with clear precision, points out such places as you may "exercise exclusive legislation" over. With a particularity to be well noted it specifies even the small piece of soil necessary for a dock-yard, as one of the lots which you may purchase and exercise authority over. And yet if any such powers of implication exist in that instrument as is contended for, would it not have reasonably been deemed one to purchase a piece of ground to build a dock-yard upon, as fairly incident to the power "to provide for and maintain a navy?" But the constitution, by expressly inserting it, has as expressly forbid you in that article from purchasing any other places from the States than those so clearly and minutely specified. You cannot then buy of the citizens of Kentucky, or the State, her canal; nor can you exercise jurisdiction over it.

But we are asked by my friend from Ohio, [Mr. FARAN,] "where then do you get power to build light-houses, piers, and place buoys, &c." I answer, under the above-recited power and the power "to provide and maintain a navy;" for you cannot maintain or preserve your navy, unless you have properly improved harbors for it to float in, protected from storms or a superior enemy; and you must have light-houses to guide it in darkness and stormy weather, and buoys to mark the channels. As far as doing this for the legitimate purpose of giving your navy shelter and protection, so far, and only so far, can you accidentally (for I dislike that word incidentally) benefit commerce. But under this clause, it was never contemplated that you should improve rivers where a vessel-of-war never floats, or in the very heart of our republic; nor to build harbors where nature has not already roughly but plainly moulded one, or indicated its necessity.

Under this clause, in accordance with the desire of the legislature of Alabama, I have offered, as an amendment to the bill, a clause to appropriate $50,000 to the improvement of Mobile harbor. It is one of the only three good harbors on the Gulf of Mexico, from Florida to the Sabine. Your navy requires its passes to be slightly deepened to enable it to resort there at all times. It is the outlet of a great river, which wafts to the commercial mart at its mouth one-fifth of the cotton made in the Union, and which can furnish to your navy, when needed, men and provisions. In the ports of great maritime commercial marts it is expected your navy will ride, both for the protection of commerce and for recruiting and refitting.

If this principle is correct, then the remark of the same gentleman that "if Congress can erect light-houses, build piers, &c. on the Atlantic coast, it can draw out snags, and remove rocks in the way of commerce in the rivers" is sufficiently negatived. Commerce can rightfully demand of us no aid, save laws to regulate its transit, and a navy to protect it in its passage from port to port.

These views Mr. Madison carried from the hall of the convention to the executive mansion, and vetoed, during the last days of his administration, a bill having for its objects improvements such as are contemplated by this bill. In that paper he says:

"The legislative powers vested in Congress are specified and enumerated in the 8th section of the 1st article of the constitution; and it does not appear that the power proposed to be exercised by this bill is among the enumerated powers, or that it falls, by any just interpretation, within the power to make laws necessary and proper for carrying into execution those or other powers vested by the constitution in the government of the United States. The power 'to regulate commerce among the several States' cannot include a power to construct roads and canals, and to improve the navigation of water-courses, in order to facilitate, promote, and secure such a commerce, without a latitude of construction departing from the ordinary import of the terms, strengthened by the known inconveniences which doubtless led to the grant of this remedial power to Congress.

"To refer the power in question to the clause 'to provide for the common defence and general welfare,' would be contrary to the established and consistent rules of interpretation, as rendering the special and careful enumeration of powers which follow the clause nugatory and improper."

Mr. Monroe, too, has left us his recorded opinions unfavorable to this system. In his veto of a bill relating to the Cumberland road, he said that Congress, in appropriating money, was "restricted by the duty to appropriate it to purposes of common defence, and of general, not local, national, not State benefit."

What is general and national? A navy, I would answer—all necessary means for its equipment, repair, and preservation; and, to this end, the improvement of the necessary harbors, the building of dry-docks, armories, light-houses, and the placing of buoys. It protects your commerce from enemies in war, and from piracies at all times.

Of this object, too, may be considered forts, barracks, arsenals, and foundries.

But surely it cannot be considered an object of general and national benefit to dig out a harbor annually, which the winds and waves annually refill; nor to lengthen, in the heart of your nation, rivers, and dig canals, for the mere purpose of private gain. The bill before us proves that these remarks are not unfounded. By reference to the original estimate for most of these harbors, it will be found that they have already swallowed up, in some cases ten-fold, the amount originally deemed necessary to make them all their friends desired.

From an able speech of my friend from Mississippi, [Mr. THOMPSON,] made upon a harbor and river bill, May 16, 1844, I gather the following facts:

	Original estimate	Amt. expended.	Amount now asked for.
Improvement of harbor of Dunkirk - - -	$23,738	$97,743	$15,000
Improvement of harbor of Buffalo - - -	62,891	213,773	80,000
Improvement of harbor at the mouth of Genesee - -	53,919	182,270	20,000
Improvement of harbor of Oswego - - - -	72,439	222,239	30,000
Improvement of harbor of Cleveland - - -	27,652	125,740	20,000
Improvement of harbor at the mouth of Grand river -	25,997	58,094	10,000
Improvement of harbor at the mouth of Ashtabula creek -	23,387	68,796	15,000

Thus it will be seen that in some instances as much as four-fold has already been expended upon many of these harbors; and in no instance less than two-fold, over and above what the original estimates called for, and on which Congress doubtless acted. The gentleman from Ohio [Mr. VINTON] reminds me that these estimates were merely experimental; and that the experiment has succeeded. Sir, I have no doubt that he is correct; but also have no doubt, in order that the experiment might be a fair test, that enough was called for and appropriated to put these harbors in such condition as to be really useful; and therefore, that the estimates were taken as a guide to what might be considered the eventual cost. But how is the result? Why, one advocate of this bill, and particularly of these harbor appropriations, [Mr. ROOT,] says that many of the harbors are now in worse condition than they were before a dollar of government money was expended upon them; and he now desires a greater appropriation to clear out and repair what government bungling has done! Indeed will we be working in a circle, if this is to be always the case. It is classical too; for we are told in classic lore that it took the rust of Achilles' spear to cure the wound it had made. And need we wonder at such results, when, as we have just heard from the gentleman from Ohio, [Mr. ROOT,] that nature has not made a single harbor on the southern coast of Lake Erie, and nearly all these harbors provided for on that coast are artificial? He says that several are worse now than before a dollar was spent upon them by the general government. This must be expected when you war against nature. The winds and the waves claim it as their dominion; and in a contest with them you must expect to be ceaselessly engaged, if you expect success. It is on this account that these harbors have cost so enormously over their original estimate. Congress never once dreamed, in entering upon their erection, that they could go much beyond their estimate—experiments though they were deemed to be by the gentleman from Ohio. It seems that every year or so as large a sum as the original estimate of the whole cost is required to keep them in good repair. Have we any guarantee that this drain of expenditure will cease? None. It will last, if the system is to be perpetuated, as long as the angry winds and lashing waves rage on that coast.

Now sir, if, as is contended, Congress has power under the clause to regulate commerce coextensive with commerce, which I do not deny, (confining that power to mere regulation, or prescribing rules for its course, and defending it against hostile attack,) and under it a power is claimed to facilitate its progress by improvement of a harbor, Congress certainly has the power to build these Erie harbors as is asked, every 15 or 20 miles, for the protection of the lake commerce; and yet, while claimed by one friend of this bill, it is roundly denied by others, and they not the least able and intelligent of its advocates. To such unlimited extent is one driven when he launches on the boundless sea of implication and construction.

Gen. Jackson laid down a law upon this subject, which, if honestly pursued and applied, might not be considered as an improper one, considered with reference to the great extent to which the system is now pushed. It was, that rivers might be considered proper objects for such appropriations as far up as ports of entry. Now, sir, this never was designed to mean that, to get such appropriations through, ports of entry should be made where only a flat-boat could float. The true meaning was, ports where foreign commerce disembarked itself, where sea vessels could safely come, where duties were paid. Into such places your vessels of war generally have to go.

If I understood the gentleman from Tennessee, he endeavored to prove that Gen. Jackson favored the positions he saw fit to take in favor of internal improvement. I regretted, sir, to hear a Tennessee Jackson democrat advance such opinions, and endeavor to give such construction to Gen. Jackson's views. That great man has not left those views so doubtful of meaning as that they should be subjects of legitimate controversy as to their true intent now. In the celebrated veto of the Maysville road bill, he discussed at length the constitutional point, and, deciding against the possession of the power by Congress, gave to the system a blow which paralyzed even its mighty and combined powers, and caused it to shrink and to decay to such a degree that in 1838 and 1839 hardly the skeleton remained to shock the view.

Under the general despondency and despair which the Waterloo defeat of our party in 1840 brought on—a defeat mainly attributable to its large expenditures, and which should teach a lesson to us, who now by such means seek to increase them—the system seemed again to be galvanized into life. It was resurrected with features rendered by no means less hideous by its long and grave-like repose in the dust, and but temporarily prostrated by the exercise of that leaven of Jacksonism which Mr. Tyler showed he possessed in no inconsiderable degree, and which added another ray of honor and glory to the halo which encircled the closing days of his administration.

Not dismayed, its friends have again put it upon its legs—its last legs I trust—and, from a remark made early in the debate as to President Polk's opinions, hope, doubtless, that if successful in the halls of legislation, it may receive the Executive sanction. I sincerely believe, sir, that these gentlemen have counted without their host. The President has not improperly or unwisely been called "Young Hickory." It is known that I am not one who has habitually fawned upon power, or, as a matter of course, approved of all that power does, or recommends. But I will say here that I have, as I have ever had, great confidence in the unblenching moral courage, and unyielding integrity of the President. Upon all the old issues which have divided parties, I believe him to be as sound as the soundest. During the election, I invariably referred to his past career—his solemnly declared opinions and recorded votes as more reliable sources of information as to what his administrative career would be, than to those innocent Delphic mysticisms drawn out by catchecists, in a closely contested canvass.

His course thus far has not deceived me. It is true, on the Oregon question, my judgment could not go with him as to the propriety of so speedily terminating the joint convention between England and ourselves. On the great question of our rights, and of the undoubted propriety of defending those rights when assailed, as well as upon the course he had pursued to bring the matter to a successful close by negotiation, I am and was with him. Between the President and myself exists but one difference on this point—that merely one of *time*—as to the *when* we should take possession of Oregon, without regard to the claims of any other power. On the tariff, he has nobly redeemed his fame and his pledges. No President has ever done as much for free trade as he has. And in conjunction with his able Secretary of the Treasury, on that doctrine—that great and favorite doctrine, for which our party has been struggling for so many long years—a struggle which shook to its foundation the temple in which it has been held—so fierce and bitter were the feelings elicited by the oppression the South suffered, he is about to triumph, unless this system interferes with its gorgon head to turn our lively and victorious activity to the immobility of stone. On this, too, without knowing other than what his off-recorded opinions shadow forth, I have every confidence that the President is, as he was, its unshrinking opponent. I will quote but one passage of his past opinions, and that delivered, in the great crisis in the history of this system, on the consideration of the Maysville veto. Mr. Polk said:

"He had planted himself upon the ramparts of the constitution, and had taken the high responsibility upon himself to check the downward march, in which the system of which this bill is a part, was fast hastening us." "The pernicious consequences, the evil tendencies, to say nothing of the corrupting influences of the exercise of a power over internal improvements by the federal government, were not fully developed until within a very few years past." The President "could not shut his eyes to the constant collisions, the heart-burnings, the combinations, and the certain corruption to which its continued exercise would tend, both in and out of Congress." "He hoped that the result of the vote we are about to give in the solemn discharge of a high duty which had been devolved upon us, upon this precise measure, in the first year of a new administration, might resuscitate the almost forgotten principles of the constitution, and put an end to a system which cannot end in good, and must lead to the most ruinous consequences."

Such are the views of the President. It would be unbecoming in me to hold up these views here for the purpose of swaying the vote of a single member. I do it for no such purpose. I trust that each will vote upon the various propositions contained in this bill, on their merits, governed by a conscientious desire to discharge his duty. I confess, however, that I have referred to these opinions of the President with deep interest. I think that each of the courses of debate here upon this bill with deep interest. If it is destined to pass to the other end of the Capitol, I shall watch its progress with deeper interest still; and if destined to pass on to the Executive, I confess that I do feel a sincere and intense desire to see the President "not come the John Tyler upon it," exactly as my kind and true-hearted colleague expresses himself, but come the Old Hickory upon it; that he will not hesitate to scourge it back to this House, where it originated, and thus, to use his own eloquent and expressive language when himself approving of a similar act, "resuscitate the almost forgotten principles of the constitution, and put an end to a system which cannot end in good, and must lead to the most ruinous consequences."

I have thus passed, in rapid review, before the committee, some of the opinions of the fathers and great supporters of the constitution and of our party.

In addition, I will observe, that so strongly convinced were Madison, Monroe, and Jackson, of the unconstitutionality of the exercise of this power by Congress, that, yielding to the pressure for its exercise made upon the legislative department from nearly all parts of the country, each of those illustrious chief magistrates recommended that the constitution be amended, in order to engraft upon it the power which it does not now contain.

If it may be considered as established by these authorities, as unconstitutional, I will say further it was wisely prohibited to the general government. Given to it, it would have conferred too vast a power upon the federal authority. By reaching into every corner of a State, and proffering the federal funds lavishly to local interests, it would necessarily, so long as interest is a predominant feeling in the heart, hold a controlling influence over men's opinions, and seduce the States from their proud position as sovereigns, to become beggars at the shrine of the federal treasury.

Whenever it shall become a settled policy of this government, then will every local interest congregate in this hall—the committee rooms will be converted into an exchange, where barter will be the ruling spirit; and by a union of all its forces, having reference more to strength than to judicious and wise expenditure of a common fund, will untold millions be voted away for local purposes; and, consequently, to provide the means, "the unholy alliance" will have to impose enormous and heavy taxes upon the people.

Such a state of things, if it does not exist already in this hall, has been invited. The gentleman from Indiana has said that the South must look to it, for it should pass no tariff bill until this bill passes; and others of the committee have intimated the same. Great God! and has it come to this, that before the spirits of the revolution have been swept away by the wing of time, such a system of legislation should be adopted on the floor of Congress; that the constitution should no longer be looked to as a guide; but that the polar star of a legislator's course here should be vengeance; that because one infraction of the constitution was resisted, another should be purposely made? And shall such, I must say strange, I must further say most reprehensible, principles be openly avowed here? It was to prevent the prevalence of such a spirit doubtless that this power, among many other good reasons, was refused to Congress.

Again, it was wisely prohibited to prevent so vast an expenditure of public money, and consequent heavy taxation. How vast it would become, may be partly conceived by the declaration of the gentleman from Kentucky, that he would not agree to limit the demands of the West, for western rivers alone, to five hundred millions of dollars! Our country is so covered with streams and lakes, and is of such vast extent, that this system, carried out fully, would cover it with a vast net-work of works of internal improvement, which would require countless treasures to build up; and instead of raising twenty millions annually by taxes for the support of an economical administration of the government, we should be called upon to lay taxes upon the people to at least the amount of one hundred millions a year. The gentleman from Kentucky has already advanced a principle which will consume nearer double that sum. He asks, with an air of indignation, "why a steamboat should be taxed nearly its cost annually, in navigating the falls of the Ohio?" I answer, that commerce must bear its own burdens—that you cannot ask my constituents (a planting people in Alabama) to buy out that Ohio canal, in order to relieve an Ohio steamboat from paying its own way up and down that river. But if I am wrong and the gentleman is correct, then I will ask, on the same principle, what right is there for charging a canal boat for travelling the New York canal, or a bale of cotton for passing over the Charleston railroad? Sir, the principle avowed would demand the purchase of every means of transit now existing, on the ground that it is a burden to commerce. To such unlimited results does this system lead us.

Again: it was wisely prohibited, because injustice would otherwise be done by mere numerical majorities. It is, in the nature of things, that the strongest should appropriate the most, and yet the strongest do not always pay the most. Already, indeed, are we threatened with this result. The gentleman from Kentucky calls upon us to beware, that the West will soon have the power, and let us be careful that there be no old scores to settle.

Sir, this eternal cry of the West—injustice to the West—the West will soon have the power—is disgusting when designed as threatening. It can have no influence over a single vote I have to give; and I imagine that but few here are to be driven by threats to swerve a hair's-breadth from any line they may have marked out for themselves. But I have no fears of the West, and no belief in its disposition to avenge itself upon any section of country for a conscientious discharge of its duty. I believe that a few men may reach to this station as representatives of the West, who hold out such threats; but that they do not know or represent it in making such remarks. I have been accustomed to look upon her people as likely to become not only a great, but a just people. Magnificent in extent, pierced by noble and lengthy rivers—blessed with an amazing fertility of soil—I have been accustomed to think the face of the country, exhibiting as it does the grandeur and beneficence of the Almighty in a high degree, would assist materially in forming public character there—that their views would be enlarged—their hearts as fruitful in all that is great and noble, as their prairies were teeming with rich abundance—that, liberal as God had been in lavishing blessings upon it, they, too, would exhibit a noble generosity of character far above petty pique.

I fear not the West then, sir. Let empire take its way there. The South will not envy her the possession of power. All that she asks is a strict observance of the chart by which you hold power. No matter who wields it, if you but wield it justly and well. We ask for no power to protect our industry—to build up favored classes—to improve our streams. All that we ask is freedom from oppression. We ask for no expenditure for local or commercial purposes. All that we ask is that you protect us from foreign aggression, and allow our trade to remain unfettered by protecting law. With wants so few, we want no power, save to prevent its unjust exercise. "Let us alone," is our motto. Let the power pass to the West, if it is so destined. It cannot be exercised there with a harsher hand than it has been by the North. When it shall go there, we will bid it God speed; and our prayer shall be, what every mother in that broad valley will say amen to, that virtue, a due regard for others' rights, and love of the constitution may go with it. But if that unjust spirit rules there, such as is heralded here by gentlemen from Indiana and Kentucky, and the purposes of the Union are no longer subserved by the Union, we can, and be assured we will, right ourselves.

Such a course will be a painful one to us. But if driven to it, the regret we shall feel will be that we thus part from the hallowed graves of their sires, and not that we shall sever a connexion from such degenerate sons, as such a course of conduct on their part would clearly indicate them to be.

In connexion with this threat of the West, the gentleman from Kentucky, [Mr. THOMASSON,] desired to see party lines rigidly drawn here on this question, and to let it be proclaimed to the West how men stood upon it. I join with him in the wish, sir; at the same time, however, believing that if democratic papers and orators have done their duty there, the West needs not to be told, at this late day, what the views of the democracy, as a party, are on this debate-riddled and time-honored issue. The democratic party, at all times and on all occasions, whenever they have met to assert their principles, have branded this system as unconstitutional. I believe that the editorial democratic corps of Illinois has a representative here, [Mr. WENTWORTH.] If his paper has published the Baltimore resolutions since 1836, the people of the West already know what the democratic view of this subject is; and knowing that, they expect their representatives here, I presume, to stand up to those resolutions.

I will here mention, that even in Illinois, as early as 27th April, 1835, the democracy in a State convention denounced this system as a "useless and unconstitutional expenditure of public money, in appropriating it to works of internal improvement of no general importance."

Our party, which has assembled every four years at Baltimore, to assert the principles upon which we are united, and to nominate candidates for the offices of president and vice president, who are expected to act upon those principles, on the 20th of May, (I believe,) 1844, again met in Baltimore; and after nominating candidates for those two high stations, proceeded to put forth a series of resolutions, embodying the great party principles which distinguished it. The third of the series reads thus:

"*Resolved*, That, entertaining these views, the democratic party of this Union, through their delegates, assembled in general convention, *reiterate and reassert*, before the American people, the declarations of principle avowed by them when, on a former occasion, in general convention, they presented their candidates for the popular suffrages."

Immediately after this follow the resolutions which our party had adopted in general convention at Baltimore in 1840, and identically the same, I believe, as were adopted in 1836. The second of these read thus:

"That the constitution does not confer upon the general government the power to commence and carry on a general system of internal improvements."

Now, sir, before I proceed to comment upon this, and aid, so far as my voice, and influence, and vote can, in drawing members of the democratic party up to that line, and thus not only gratify the gentleman from Kentucky, [Mr. THOMASSON,] but also gratify the whole democracy, I trust, of this broad land, I will address myself to the task of relieving from my own shoulders thithe charge which gentlemen, in the height of their fury on the Oregon question, have endeavored to fix upon them, and those of some fifteen other good democrats, that we have been recreant to our party faith.

After renewing and reasserting the cardinal principles of our party, long since adopted, the convention proceeded to pass other resolutions, and among the last was the following:

"*Resolved*, That our title to the whole of Oregon is clear and unquestionable; that no portion of the same ought to be ceded to England or any other power; and that the reoccupation of Oregon, and the reassertion of Texas, at the earliest practicable period, are great American measures, which this convention recommends to the cordial support of the democratic party of this Union."

In what, then, I would ask, have I offended? Are there any degrees of latitude mentioned in that resolution that I must march up to, in defiance of right, and proof, and good sense? Not one.

Have I advocated the ceding to England, or any other power, an inch of what is clearly and unquestionably ours? I have not. Have I opposed a reoccupation of Oregon? By no means. I have, on the contrary, proposed what I considered as ample means to encourage emigration there.

But what then have I done? I have advocated *time* for perfecting our title by possession; have advocated *time* for preparation to maintain and defend our rights in Oregon. I have expressed my conviction that our title to the whole country we have ever occupied is "clear and unquestionable"—and that beyond 49°, which we have four times offered Great Britain as a compromise, the territory is fairly and legitimately a matter for negotiation, thus approving of all that has heretofore been done by negotiation. My sin, then, if any I have committed, consists in not sternly planting myself upon 54° 40', and denying the right of the government to settle the controversy by negotiation and compromise. Not a single word is said about "the notice" in that resolution. That is a matter to be used, to be sure, as one of the means of reoccupying Oregon. But the resolution, if binding upon any as party men, left this matter entirely to their discretion. The question of *time* was not settled by the convention; it only bound us to carry it out "at the earliest practicable moment." In my judgment it had been far wiser to have left it alone for one or two years, at least. I was not prepared to say that the most favorable moment had arrived to risk a war with any other power on this issue; and, believing so, vote against notice.

Again, sir, when I took my position on the subject, the notice was advocated here by its peculiar friends as a war measure. One mentioned it as "the military way of doing business." Another, that the British lion lay in our path, and that we must pounce upon him and "make him spout blood like a harpooned whale!" Another, full of valor, was ready to give it, that "Michigan might take Canada for her share of the fight." All were for giving it, in order that we might "take possession of the whole of Oregon." I voted against it then in order to prevent the country from being plunged by these hot-headed gentry into too precipitate and unequal a conflict with England. It has, however, by the force of my friends' arguments brought to bear upon the subject, and by the voice of an aroused people, been made to assume a greatly modified shape. Finding the country not so warlike as they had supposed, the advocates of notice for the sake of war dwindled down to the small number of *ten* by the time the vote was taken; and I have great hopes that the matter will be made to assume a still more pacific aspect before it leaves the halls of legislation—informing the President that the American people desire no war for Oregon, unless our rights there are trampled upon and no redress can be obtained for the injury.

But, sir, I assume higher grounds in our behalf. The Baltimore convention declared the question of Oregon not to be a party question. It recommended democrats to look upon it, freed from mere party shackles, as a "great American measure," in which not the democracy alone, but the whigs and all other parties were interested. Sir, I so received that recommendation of my party; and in over one hundred speeches made by myself over a great part of Alabama, during the canvass of 1844, I solemnly denied either the Oregon or Texas questions being party questions. I urged them upon the people as national issues—soaring above our party domestic broils.

Even, then, if I have erred, which I deny, I am not amenable to party for it. My party, in solemn convention, have placed the Oregon matter before me as an American citizen; and in this hall I have voted upon it as an American legislator, answerable for that vote alone to my constituents, to my conscience, and to my God.

And now, untrammelled by the charge of a single direliction from party duty, I turn to those gentlemen who were so kind as to desire to teach me a party lesson not to be found in the book, and I ask them how they stand by the test of party measurement?

How many of them have, in reference to this bill, endorsed the principles laid down by the party at Baltimore in 1836, renewed in 1840, and reasserted in 1844, "that the constitution does not confer upon the general government the power to commence and carry on a general system of internal improvement?" Already have leading democrats from Ohio, Michigan, Indiana, Illinois, Kentucky, and one from Tennessee, boldly set themselves up against this stereotyped portion of our party creed—as sacred, as worthy to be observed, as that to vote against a national bank or a protective tariff—in fact, one of a series of principles, all of which mutually sustain each other. Ay! and what is worse, the gentleman who reported this bill [Mr. TIBBATTS] was sent by the democracy of Kentucky as one of the democratic fathers to this great convention at Baltimore, and there, in conjunction with delegates from the whole Union, aided to frame these resolutions—aided to adopt them unanimously; and now, in capacity of a representative of a democratic district, and a legislator, refuses to endorse the principle by vote; and, in fact, condemns it by his legislation! And at what a time? Just as we have triumphed—before the echoes of our shouts of joy have hardly died away, at our success—certainly before the people have forgotten that we were pledged to them, if they elected Mr. Polk, that we would retrench the expenses of the government—that we would repeal the tariff of 1842, and enact one for revenue purposes alone—that we would re-establish the constitutional treasury system—that we would not "commence nor carry on a general system of internal improvements."

With a firm belief in our sincerity, the people have confided to us the reins of government—have elected our President—and sent a large majority here to refuse to "commence and carry on" works of internal improvement. And what is done? Why hot haste has been made in this the first Congress of the new administration "to commence and carry on a general system of works of internal improvement." The friends of the President are the most conspicuous in this breach of party faith, and they advance principles in support of their system running far beyond even what the great whig candidate, Mr. Clay, laid down in his speech at Hanover in 1840, in which he opposed a general system of works of the kind, and said that these works were now so far advanced that he would be content to stop all further aid to them from the general government after having paid to them the last instalment under the deposite act. Sir, Mr. Clay's plan had a fixed limit. The plan of these democrats (?) has no limit. It laughs to scorn the old god Terminus. The principles they and their whig coadjutors avow, allow of no limit. Those principles call upon you to build harbors where nature has made no provision for them; to make channels where nature has made none; to buy out canals, because tolls are there imposed upon commerce; annually to sweep the Mississippi, and other great western streams, with dredges and snag boats, for annually that monarch of rivers replaces what you remove. Can any principles be more "general?" And, as I have shown, as the bill appropriates nearly the amount of the original estimates to lake harbors—after three and four-fold has already been expended upon them—there appears to be no limit indicated to the extent of these appropriations.

Is there any wonder, sir, that the gentleman from Tennessee [Mr. GENTRY] should charge the democracy with inconsistency, when such plausible grounds are given for his doing so? I trust, however, that the sins of a few will not be visited upon the many. If protestation could be of any avail, I would solemnly protest against the party being held responsible for such errors; protest against these democrats forcing their friends to listen to such unpleasant attacks upon us, without power to deny the imputation; protest against their forcing the President of our choice to the unpleasant alternative of sanctioning what he cannot approve, or of vetoing a bill of this House.

I have now done with the party view of the question. Party has no charms for me, if not based upon principle. If true to those principles associated efforts in favor of a great end, will be effective for good. If untrue to principle, however, and only held together for purposes of elevating certain men to office, I have no language at command to "express my contempt for it. Such, I trust, will not be the result of our organization.

I will now refer to a few facts showing the practical operation of this system, and the great wisdom evinced by the framers of the constitution in refusing the power to Congress.

In the first place, its operation since 1791 shows conclusively that sectional interests will predominate in this mode of expending the public treasure; and that neither extent of country, its wants, or its resources, can compete with a mere numerical majority, determined to spend as much as possible at their own doors.

In the third volume of executive documents, 2d session 23d Congress, I find the following facts, exhibiting the amount of money disbursed by the general government to the two sections of the Union—North and South—for purposes of internal improvement, between the years 1791 and 1833:

To the States north of Maryland -	$3,117,206 27
To the States south of Maryland, and including that State - -	878,709 14

This array of figures shows that, in the course of forty-two years, four-fold the amount of money was disbursed at the North that was expended at the South; though our coast, in round numbers, is four hundred miles the longest.

In my comparisons I shall also include the State of Ohio, as the gentleman from Ohio [Mr. BRINKERHOFF] appeared to boast of the magnanimity of his State in asking for so little. During that time there was expended, for purposes of internal improvement in the State of Ohio, though a new State, $859,124—a sum within $20,000 of what the whole South, with an exposed coast of four thousand miles, had received!

But this is not all that this favored region—the North—received in that period. In the above-mentioned items are not included the following:

To Cumberland road -	$3,723,530 63
To Ohio and Chesapeake canal -	999,000 00
To Louisville and Portland canal -	233,500 00
To Chesapeake and Delaware canal -	200,000 00
To improving Mississippi and Ohio rivers - - - -	394,513 33

Of this enormous sum, amounting to $5,550,543 96, not more than a million, it is fair to presume, from the direction of the works, was expended south of Baltimore!

From the Treasury