

Executive Speech  
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SPEECH OF GOV. CRAFTS— 1830<sup>1</sup>.

*Gentlemen of the Council and Gentlemen of the House of Representatives:* – In reviewing the internal concerns of the State, for the year past, our attention cannot be withheld from noticing the general comfort and prosperity, that prevail. Under the protecting care of a kind Providence, our citizens have enjoyed a good degree of health, and the produce of the year is believed to be amply sufficient for their subsistence; good order and an increasing attention to education and good morals have prevailed; our civil and religious privileges have been preserved, and every man has been left free to pursue his own happiness, in the manner most agreeable to his inclination, and not inconsistent with the rights and happiness of others. To this general prosperity we have to lament that there are some painful exceptions. The uncommon rains in the month of July last have, in some sections of the State, caused the destruction of a very large amount of property, both public and private, as well as the lives of several of our fellow-citizens; and, in some towns, in addition to individual losses, the cost of repairing the roads and building the bridges will prove so burdensome as to give them strong claims upon their fellow-citizens for aid.

In governments founded by the people for the security of their persons, their property and their privileges, the meeting of their representatives will ever be viewed with the most lively interest; for, coming from every part of the government, they must necessarily possess a knowledge of all the wants as well as the wishes of their constituents. As no human wisdom can devise a code of laws, which will permanently apply to the ever-varying interests and pursuits of civilized man, frequent meetings of the legislature, therefore, become indispensably necessary, to examine the operation of the laws on the various subjects, to which they apply; – to rescind such as are unnecessary, or have proved oppressive in their application, and to provide such others, as the various circumstances of the community may render necessary. Nevertheless, a system of legal provisions, whose application has been settled by long usage, should be approached with great caution, and should be altered only upon mature deliberation and a full conviction that the public interest would be essentially promoted by the alteration.

Our system of jurisprudence had its origin in a foreign country, and in the ages of antiquity, when the civil and political rights of man were imperfectly understood, and but little regarded; being modified so as to conform to our free institutions, we have adopted it as our own, and as modified, it is, with few exceptions, admirably calculated to protect the rights and interests of the community. That feature in our code, which authorizes imprisonment for debt, when there is no appearance of fraud, seems, however, not to be in accordance with the improvements in jurisprudence, nor in unison with the spirit of the age; and public opinion calls loudly for its removal. This subject has heretofore occupied the attention of the legislature; but as their deliberations were directed principally to cases occurring under debts already contracted, so many difficulties presented themselves in framing a law, that should benefit the debtor without infringing upon the rights of the creditor, that no measures were finally adopted. With respect to debts contracted under the existing laws of the state, and with a full knowledge of the means, provided by those laws, to enforce the payment, it is believed that no alteration, essentially benefiting the debtor, can be made without violating that provision of the constitution of the United States, which declares that no state shall pass any law impairing the obligation of contracts. But to pass a law to exempt the bodies of debtors from arrest and imprisonment, on all contracts to be entered into after the passage of such act, is deemed to be completely within the constitutional powers of the Legislature. The only question that can arise is the expediency of the measure. It might have tendency to diminish the general credit which it prevails throughout the state; and should such even be the case, it is believed the effect would be beneficial, rather than prejudicial to the community. The subject is respectfully recommended to your consideration.

The education of our youth is a subject always deserving the attention of the Legislature. In communities, where people elect their rulers, and, in effect, dictate and control the general policy, the measures and the laws, that shall exist in such communities, a more general diffusion of information, a more correct knowledge of their

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<sup>1</sup> From the printed *Assembly Journal* of 1830.

rights and their duties, is required than under any other form of government. No person, who does not understand the nature and genius of our institutions, nor duly appreciates the inestimable value of our civil and religious privileges, the necessity of good order, and a due subordination to the laws, is qualified for self-government. Such men often are and always may be the instruments, in the hands of aspiring men, of acquiring power, or of accomplishing some favorite measures for their own advantage. If our liberties be ever subverted, it will be effected through the agency of the uninformed and unreflecting portion of our population, guided and directed by unprincipled and designing men. Such has been the fate of most of the republics which have preceded ours; and nothing will prevent our own from a similar fate, but a general diffusion of virtue and intelligence amount our citizens. The mode of instruction, adopted in our common schools, and, in some degree, in those of a higher order, is directed, more to the improvement of the faculties, than to form and fix the character of our youth. To qualify them to perform the high and responsible duties of freemen, our youth, in addition to the usual course of instruction, should be instructed, also, in the principles of our free institutions, in the social relations and duties, in a love of country, of order, morality and religion, and in whatever shall tend to establish correct habits and principles. With a population thus educated, the liberties of our country will be safe, and will be transmitted to successive generation, in all their purity. If such important results depend upon education, it becomes our imperious duty not only to provide the means, but to direct the application of them in such a manner, as will tend to render our youth virtuous, useful and happy.

The State of Vermont, possessing a salubrious climate, a productive soil, much mineral wealth, and immense amount of water power, and an industrious, enterprising and intelligent population, seems destined to become, when her natural resources shall be fully developed, a very important member of our great family of states. But, at present she is subjected to some serious inconveniences, which not only retard her in her growth, but so sensibly affect the interest of her inhabitants, that numbers are daily emigrating to other states, where these inconveniences do not exist, or are less felt. Situated at a distance from the seaboard, she can have no participation in the commerce with foreign nations; her attention must necessarily be turned to the improvement of her internal resources. Like the inhabitants of all newly settled countries, the employment of our citizens has been confined chiefly to agriculture, and to the production of such articles as require but small capital; and our surplus production has found a market only in the commercial towns of other states, where they are exchanged for such articles as our necessities or fancies may require. These markets are distant from our inhabitants, from one hundred to two hundred miles; and the aggregate cost to the state for transportation has been estimated to amount to several hundred thousand dollars annually. Such estimates, from the difficulty of obtaining correct data, cannot be made with great accuracy; but, whatever may be the amount, it is, so far, an actual tax upon production. In other words, those, who live in the vicinity of the markets, obtain as much for their productions as our citizens obtain for similar productions, including the cost of transporting them to market; to which may also be added the cost of transporting home those articles of necessity or convenience, for which our productions are exchanged. Besides under the present condition of our roads, the more bulky products of agriculture, of our forest, and our mountains, excepting so much as are necessary for the use of our inhabitants, are valueless. The inhabitants of that portion of the state, which is situated in the vicinity of lake Champlain, through the enlightened policy and enterprise of a neighboring state, have, in a great measure, been relieved from the burden, which bears so heavily on the greater part of the State, and is, perhaps, felt the more sensibly by the comparison.

These disadvantages can be obviated only by the creation of some easier and cheaper mode of transportation from the different sections of the state to the market towns. For what is saved in the cost of transportation will be added to the value of our products. The same causes which operate so unfavorably to our agriculture, will also prevent the establishment of manufactures, to any considerable extent. The principal manufacturing establishments of our country have been, and, to be profitable, ever must be located in those places which possess the greatest facilities for transporting the raw materials, provisions, and manufactured articles. If some safe, cheap and expeditious means of communication with the market towns be constructed, no part of the Union would offer more eligible situations for some branches of manufactures than Vermont. The effect of such establishments would be, to create a home market for our provisions, and raw materials, to increase our population, to render more valuable the products of our labor, and, consequently, to increase the means for comfort and happiness. But until some cheaper mode of communication shall be effected, we cannot

reasonably expect any considerable amount of capital to be invested in manufactures, nor the condition of our inhabitants to be materially improved. Although the resources of the state, if gradually applied, might do much towards the improvement of the means of communication within our own limits, yet, to extend them through the intervening states to the market towns, would require very substantial aid from some other source. It would be decidedly an object of such general interest as to come clearly within the rule adopted by Congress, in making appropriations for roads and canals in other States. In all which works, Vermont, although paying into the national treasury nearly half a million dollars annually, has received no benefit, excepting so far as those works may have added to the aggregate wealth and resources of the nation. If a full representation of all these circumstances were made, we might, with confidence, expect that Congress, upon the same principles, on which it has granted aid to other states, would be disposed to afford also very liberal aid towards the accomplishment of an object of such general utility, and so essential to the interests of this State.

I have felt it my duty to submit these remarks, not with a view that works of such magnitude can be immediately commence, but as a subject of examination and inquiry. I would, however, suggest the propriety of an expression of the opinion of the General Assembly upon the constitutionality and expediency of applying the surplus revenue of the General Government, after the public debt shall be discharged, to objects of internal improvement, within the several states, in the ratio of their representation.

In offering these views I have not considered it necessary to express any opinion, as to the particular kind of improvement, which would prove most beneficial, whether by canal, railroad, or by rendering more practicable the navigation of our rivers, nor to designate the commercial towns to which they should lead. All these circumstances must necessarily depend upon the opinion of those individuals, or public bodies, who may be disposed to furnish the necessary funds.

By a resolution of the General Assembly, passed October 24<sup>th</sup>, 1828, it became my duty to request the Governor of Lower Canada to cause the obstructions across the river, at the outlet of lake Memphremagog, to be removed, so that the water in said lake might be reduced to its former height. Various causes operated to delay an application to the Governor of Canada until the month of January last; at which time, having obtained the necessary information relating to the injury occasioned by raising the waters of the lake, I commenced a correspondence with the Governor of Canada upon the subject. In his reply he informed me he would cause an examination to be made, and, in case the representations should be confirmed, there would be every disposition, on his part, to effect a remedy. Accordingly in the month of June last, I received a communication notifying me that he had deputed a competent person to repair to the lake for the purpose of carefully examining and reporting upon the effect produced by raising the waters, and signifying a desire that the person, so deputed, might be accompanied, in the examination, by an agent on behalf of this State. I therefore authorized James A. Paddock Esquire, a gentleman possessing the necessary qualifications, to proceed to the outlet of the lake, and, after viewing the obstructions at that place, to accompany the person appointed by the Governor of Canada to the head of the lake, and to furnish him with such facilities and information as would enable him to obtain a correct knowledge of the damages occasioned by raising the waters above their natural level. This examination has been made, and I am informed by a late communication from the Governor of Lower Canada, that the examination had so far confirmed the representations made to him, that he had directed the Attorney General of the Province to take the necessary legal measures to cause the obstructions to be removed. In the performance of this duty I have been under the necessity of incurring the expense of sending an agent to the lake to assist in the examination. As these services were considered necessary, it is presumed the General Assembly will feel disposed to allow the agent a reasonable compensation.

Among the subjects, which will require the attention of the General Assembly, during the present session, is the election of a Senator to represent this state in the Senate of the United States, for the term of six years from and after the third day of March next, In the place of Hon. Dudley Chace, whose term of service will expire at that time.

There have been forwarded to my care, by the direction of the Secretary of War, one hundred and seven copies of *Abstracts of Artillery Tactics*, and twelve hundred and ninety-six copies of *Abstracts of Infantry Tactics*. There have been also forwarded by the Secretary of State two hundred and ten copies of the laws passed at the first session of the twenty-first Congress. These books have been committed to the custody of the

Librarian and are subject to the disposition of the General Assembly. I have also received communications from the Executives of several of our sister states, which will seasonably be laid before you.

Gentlemen, In all our deliberations, let us look for assistance to that BEING who is able to direct them to such results, as will insure the best interests of our fellow-citizens.

SAMUEL C. CRAFTS.