

Executive Speech
of
Samuel C. Crafts
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SPEECH OF GOV. CRAFTS— 1829¹.

Gentlemen of the Council and Gentlemen of the House of Representatives: – Being again called, by the voice of my fellow-citizens, to fill the honorable office of chief magistrate of this state, permit me, through you, to tender to them the homage of my deepest gratitude, and to assure them that this renewed mark of their confidence will be met with renewed exertions, on my part, to discharge the important duties assigned me, with a single view to the interest, the honor, and the happiness of the good people of this state.

If we turn our attention to the condition and internal concerns of the state for the past year, we shall find much to gratify the patriot and philanthropist, and abundant cause for thankfulness and gratitude to the Divine Source of Wisdom and Goodness, that the course of events has been so ordered, that no general and desolating sickness has prevailed; that the various application of the industry of our citizens has been rewarded with reasonable profits; that our civil and religious institutions remain unimpaired; and that the state is steadily progressing towards that respectable station among her sisters states, which she seems destined to occupy.

Since the last meeting of the general assembly, the distinguished individual who then held the first office under our federal constitution, has retired to private life, and that office has been filled by a gentleman who has rendered important services to our country. Although he was not the favorite candidate of a majority of the citizens of this state, he has been constitutionally elected; and, therefore, it becomes our duty, as members of our great political family, to acquiesce, and to yield that respect and obedience to the acts of his administration, which the constitution and laws of our country require; being, at the same time, at full liberty to discuss the policy of those acts, and freely, but temperately, to express our opinions of the effects they may produce on the welfare and prosperity of our country.

You have been selected, by our fellow-citizens, to devise and adopt such measures as shall promote the general welfare of the state; and, in the performance of this, honorable trust, you will find your duties and your powers clearly pointed out in the constitution.

I am not aware that the interest of the community requires any material alteration in our public laws. They appear to afford, under the administration of our courts of justice, an adequate remedy for every wrong; which is the object of law. All laws should be explicit, stable, and duly enforced. Frequent changes tend to create doubt and uncertainty, and promote litigation. No law, therefore, which has received the construction and application of its principles, by our courts, ought to be altered, except from a thorough conviction of its inadequacy to accomplish the object for which it was enacted.

Among the important duties assigned you, by the constitution, there is no one that calls for the exercise of a sounder discretion, and a more pure devotion to the public interest, than that of appointing to the several offices prescribed by law. The honor of the state, the peace, the harmony and security of the citizens, all require that no other considerations should be taken into the account, but such as relate particularly to the moral character of the candidate, and to his qualifications to discharge the duties of the office. This course would be honorable to the general assembly, and would, it is believed, have a powerful tendency to allay the spirit of party, which unfortunately prevails. In the early stages of our republican form of government, different degrees of faith in its stability, and a difference of opinion with respect to the legitimate application of its powers, were to be expected. But the experience of half a century has dissipated all doubts of its stability, and has pretty clearly pointed out the general policy, and the great objects of national interest, to which the powers of government ought to be directed. Although the politicians of some of our sister states have contended for a very limited construction of the powers conferred by the constitution of the United States, yet, in this state, so far as my observation has extended, there has been a very general unanimity of sentiment in favor of the liberal construction of that instrument, which has, for many years past, been adopted and applied by the general government. If we are agreed as to the principles and measures of the government, it is difficult to perceive

¹ From the printed *Assembly Journal* of 1829.

any substantial cause for the existence of political division. It is, therefore, most sincerely to be hoped, that a spirit of moderation and candor will preside in our councils; that the public good will be held paramount to every other consideration; and that there will be an union of exertion to promote harmony and good feeling among our fellow-citizens.

The peace, prosperity and respectability of a community depend, essentially, on the morality, good order and industry of the members of that community. Every measure which will have a tendency to promote such a desirable state of society, is a proper subject for your consideration. Among the causes which tend to impair, if not destroy it, a free indulgence in the use of spirituous liquors holds a prominent place. The fruits of it are a waste of time and money, and often intemperance, the parent of almost every vice. The general prevalence of this evil has attracted the attention of the friends of virtue, morality and religion, and praiseworthy exertions are making to arrest its progress. The facilities allowed by our laws to the procuring of licenses, have had a tendency to spread the temptation to this indulgence over every part of our country. Whilst these remain, it is very much to be feared that no individual or associated exertion will be able to eradicate the evil. I therefore respectfully recommend the inquiry, whether a higher assessment on licenses for retailing spirits, and a repeal of the eighth section of the act directing the mode of obtaining licenses, and regulating inns and houses of public entertainment, would not, by diminishing the means of obtaining spirituous liquors, be promotive of the cause of morality and good order.

The demoralizing effects of the practice, so general, with officers of the militia, of treating their companies with spirits, on training days, has been witnessed, by many, with regret. This practice has been of so long standing that few officers are disposed to risk their popularity by adopting a different course. It imposes a heavy and unnecessary burden upon the officers, without any adequate benefit to the companies, but often the reverse – causing frequent instances of intemperance, profanity and strife. It is believed that a law prohibiting this practice, would be very acceptable to the orderly portion of our citizens.

At the last session the superintendent of the state prison was directed to make, and lay before the present legislature, an estimate of the probable expense of so altering or enlarging the state prison that it shall contain at least one hundred and forty cells. This direction was given with a view of making such alterations in the internal arrangements of the buildings as would admit of the introduction of a more perfect system of prison discipline. The prison was constructed according to the most approved plan known at the time of its erection. And so far as the security and labor of the convicts were contemplated, it appears to have fulfilled the expectations formed at that time. But the primary object of punishment is to produce a more beneficial result – the reformation of the convict. To ascertain the best method to effect this benevolent and humane object, has engaged the attention of many of our most enlightened citizens, who have devoted their time and their money to the prosecution of the inquiry. Most of the prisons in the different states have been examined; and the different kinds of discipline, and their effects on the convicts noted, and carefully compared. These examinations have resulted in a perfect conviction, that much, if not the only prospect of success, depends on the internal construction of the building. In our prison, the cells are so few in number, that it has been necessary to confine two or more in a cell – often the hardened villain with the youthful offender; giving them an opportunity for conversation through the night – to recount over their deeds of wickedness – the means used to circumvent the unsuspecting, and to form plans for future depredations on society. In these schools of wickedness, the young are instructed in the whole science of knavery; and, when released, return into society with greater ability for mischief. It has been found, by experience, that by confining the convicts in separate cells, so that when they leave their work-shops, they can hold no communication with each other, and kept in silence and solitude, ever a never-ceasing supervision and inspection, these evils have been prevented. In the solitude of their cells they have much time for reflection, and are rendered peculiarly susceptible to instruction in moral and religious principles. In several of the state prisons, Sabbath Schools have been introduced, and with the happiest effect. Those who could read, have been supplied with Bibles; and, in some instances, those who could not, have been taught to read. If the contemplated alterations should be made in our state prison, and a proper course of discipline maintained, there are strong grounds to believe that a large portion of that unfortunate class of human beings may be reclaimed and restored to society; and, by their industry and good conduct, make amends for their former misdeeds.

In the month of June, I received a communication from Captain Graham,² of the corps of Topographical Engineers, stating that he had arrived at Montpelier, with three assistants, and with directions from the Engineer Department to continue the surveys and examinations in this state, with a view to the connection of the waters of lake Champlain and the river Connecticut, through the valley of Onion river. As the engineers were necessarily unacquainted with the topography of the country to be explored, and the object entrusted to them being of general interest, I thought it my duty to designate some person, who had a general knowledge of the country to be explored, to act as agent in behalf of the state. I accordingly requested Joshua Y. Vail Esq., who had been represented to me as well qualified to perform these services, to procure for the engineers such information as would aid them in the discovery of the most practicable route; and, so far as it might be necessary, to accompany them in their examinations. Mr. Vail has performed these services; and as there is no legal provision for compensation in such cases, his account will be laid before you; and I trust you will feel disposed to make him such reasonable compensation as his services have merited.³

I have received communications from the executives of several of our sister states, which will be laid before you. Among these are some which, from the importance of the subjects to which they relate, and the high degree of excitement elicited by these subjects, in some sections of our country, it is considered proper to notice more particularly. These communications comprise certain resolutions passes by the legislature of South Carolina, denying the constitutional power of congress to regulate duties on imports, for the purpose of encouraging domestic industry; to construct roads, or roads and canals, in the states, for the purpose of internal improvement; or in any way to patronize, or direct appropriations for the benefit of the American Colonization, or any other Society. These resolutions are accompanied by an exposition of the injurious effects of the tariff upon the interest and prosperity of the agricultural states. Also, a report adopted by the legislature of Georgia, in which the principles advanced in the resolutions of South Carolina are recognized. This report, also, is accompanied by a memorial on the subject of the tariff, addressed to the anti-tariff states, and a remonstrance to the states in favor of the tariff. Also a report and resolutions adopted by the general assembly of Virginia, on the resolutions of South Carolina and Georgia, supporting the constitutional construction maintained by those states, so far as they relate to the powers of Congress to pass laws for the encouragement of domestic manufactures. And also a report and resolutions, adopted by the legislature of the state of Missouri, denying the constitutional power of congress to appropriate monies for the purpose of aiding the American Colonization Society. These resolutions and documents have been transmitted to me, by the executives of those states, with the request that they be laid before the general assembly of this state. These communications are written with great ability, and relate to subjects intimately connected with the great interests and prosperity of our country: and being the deliberative acts of the legislatures of four respectable members of our national confederacy, are entitled to all that attention and consideration which is due to the importance of the subjects, and to the high sources from which they have emanated.

In conformity to the act providing for the publication of the reports of the supreme court, passed at the last session of the general assembly, I appointed James Davis, Esq., to prepare, and cause to be printed and bound, five hundred copies of the reports of cases, decided by the supreme court, during the year ending on the first of October, 1828. By reason of the ill health of the chief justice, and the delay in making out the reports by some of the others, the printing of them was not commenced so early as would have been desirable. But I have been

² James D. Graham, appointed Colonel of Engineer Corps June 1, 1863.

³ Joshua Y. Vail Esq. of Montpelier received from the state \$68.25, and John McDuffie Esq. of Bradford \$154, for aiding and assisting the U.S. engineers "in examining and surveying a canal route from Onion river in Montpelier, across the heights to Connecticut river, by way of Wells river." – See *Acts of 1829*, p. 32. Although this and other surveys demonstrated the impracticability of canals across the Green Mountains, they served a valuable purpose in indicating the feasibility of railroads. A few weeks after receiving his pay for assisting in the survey for a canal in 1829, Mr. McDuffie published two articles in *Vermont Watchman & State Gazette*, affirming the feasibility of a railroad from Boston to Ogdensburgh, via Concord and Plymouth, N.H., Bradford and Montpelier, Vt., to Lake Champlain, and from the lake to Ogdensburgh. Mr. McDuffie was a surveyor of high repute in Vermont and New Hampshire, and the fact above stated indicates that he deserved high reputation. In preparation for the first survey of the Montpelier and Wells River Railroad, the editor of these volumes procured, for the use of the engineer, from Col. Graham, who was then at the head of the U.S. Topographical department, the last copy in his possession of his survey and profiles of the canal route from Montpelier to Wells River village. The Montpelier and Wells River Railroad, at the summit, now passes a very few rods south of Col. Graham's canal line of 1828.

assured that a volume, consisting of five hundred pages, will have been printed and placed in the hands of the book-binder, by the tenth of the present month. A few copies will, soon after that time, be delivered at this place; and the remainder may be expected before the close of the present session.

By a resolution passed at the last session of the general assembly, it was made my duty to request the governor of Lower Canada to cause to be removed the obstructions across the river at the outlet of lake Memphremagog, so that the water in said lake may be reduced to its former height. I took the earliest opportunity to confer with some of the proprietors of the lands, represented to be injured, and requested them to procure the affidavits of some respectable persons, who were acquainted with the lands, before the waters were raised, to ascertain the quantity damaged, the amount of damage, and the effect produced by raising the water, on the health of the inhabitants living in the vicinity of the lake. It appeared to me both proper and necessary, that evidence of these facts should accompany my application to the governor of Canada. After several months had elapsed, and the proprietors not having complied with my request, I appointed a special agent, with instructions to procure the affidavits of such persons as he should discover to possess a knowledge of these facts. But, for reasons unknown to me, I have not received any return from the agent; and nothing further has been done. If the general assembly shall not otherwise direct, I shall continue my endeavors to effect the object of the resolution.

I would respectfully invite your attention to the alterations in the act relating to common school; and to the several acts regulating particular land taxes, which I had the honor to propose at the last session, and which remain undisposed of.

I shall most cheerfully co-operate with you, gentlemen, in the performance of our public duties; and may that BEING, who appoints the destinies of nations, direct us to the adoption of such measures as will secure the lasting prosperity of the state.

SAMUEL C. CRAFTS.