

## GENERAL ASSEMBLY.

DEBATE ON  
INTERNAL IMPROVEMENTS.  
Continued.

Mr. Yanney (the Speaker) observed, that the subject under consideration was of great consequence, both as it regards the public interests of the State, and the impression it is calculated to make on public opinion. He considered the question of more real importance than any other which has been, or will be presented to the Senate this session; for if this bill be passed into a law, the public opinion of the State will be considered as opposed to any thing like system in promoting improvement; and if this be the opinion of the public, all those hopes which the friends of a liberal policy have cherished for promoting the great interests of the State, and exalting its character, are at an end.

The Legislature of 1815, which first set the subject of Internal Improvements afloat in this State, deserves immortal honor in the History of this State. Like other great and patriotic men, the Members of that body will be entitled to the gratitude of posterity.

Previous to the year 1815, many public spirited men in the State were desirous to appropriate a part of the public funds, to the opening and completion of the navigation of our rivers, and the improvement of the public highways of the State; but the parsimony of some, and the difficulty of carrying on the improvement upon principles of correct political economy, always baffled the attempts.

Attempts had also been made, to accomplish these objects by the aid of individual interest and enterprise, in incorporating Companies to carry on the work. When these attempts were made, they were always defeated by those who had the same pretended friendship for internal improvement manifested by the gentleman from Randolph. The Legislature of 1815, believing that the only practicable mode of improving the State was to incorporate companies for this purpose, the State at the same time subscribing a part of the capital, had the patriotism & courage to commence the work, for which, as a citizen of the State, I tender them the most sincere thanks of my heart.

It has been found elsewhere, as I have no doubt it will be here, that the most efficient mode of public improvement is, to combine public funds with individual interest & enterprise, the State becoming a stockholder to the amount of its subscription; for independent of the application of the public money to a great state improvement, it will in the process of time yield us a handsome revenue. But no plan of public improvement can prosper without system, calculated to control the conflicting interests of individuals & promote the public welfare. For this purpose the government should have the direction of the public works, and they should be under the immediate superintendence of an officer skilled in civil engineering.

In the year 1819, pursuing this policy, the Legislature of this State passed a law creating a fund, and a board to manage it, for the promotion of Internal Improvements, which the bill now before the Senate proposes to repeal. Ever since the year 1815, the friends of improvement in the Legislature have been endeavoring to effect this object. They proposed in the years 1817 and 1818, that the dividends arising from the stock which the State holds in the several Banks and Navigation Companies should be appropriated for this purpose; but owing to various conflicting interests, they could not succeed. In the year 1819, the State having acquired by treaty with the Cherokee Indians, made by the United States, a large quantity of land lying in the western part of the State, a fund which Providence seems to have thrown in our way, without cost or sacrifice, the friends of internal improvement prevailed on a majority of the Legislature of that year to appropriate the proceeds of the sale of this land to Public Improvements. But which the gentleman from Randolph and his friends now seek to repeal. It was proposed, not only that this land should be thus appropriated, but that the profits arising from our Navigation Stock should also be applied to this purpose.

To this proposition, so reasonable in itself, there was an objection, and the bill was then amended by striking out the appropriation as to the dividends arising from navigation stock, but a very large majority was in favor of appropriating the Cherokee lands.

The Legislature, in passing this law, had, no doubt, two objects in view; the one carefully to husband the funds of the several Navigation Companies; the other, that the fund created should be set apart for the improvement of the whole State, and be used for no other object. What appropriation, asked he, had been made, to carry on the great business of internal improvement before this act passed? The State had subscribed to the Roanoke Company \$25,000; to the Yadkin 25,000; to the Cape-Fear 15,000; to the Catawba 6,000; to the Neuse 6,000; and to the Tar River 6,000.

Of these sums, the Treasurer, has made the following payments, viz: to the Roanoke \$13,750; to the Yadkin 10,000; to the Cape-Fear 15,000, the whole amount subscribed; to the Catawba 1,800; to the Neuse 1,200; to the Tar River, not a cent, no money having yet been collected from the individual subscribers.

Having considerable interest in these Companies, it is proper that the State should have in her employ a skilful Engineer, that the money may not be wasted. That abuses have taken place is readily admitted; and, perhaps, more in that section of the country with which the gentleman from Randolph is best acquainted, than any other. But have these, asked Mr. Y. grown out of the law of last session? Far from it. That law is calculated to prevent all such abuses in future. The Board appointed under that law is already correcting the evil, as may be seen by an inspection of their Report which they have just made to the Legislature.

Whilst speaking of this Report, he would take notice of a part of it which he was astonished to see. It was stated, "that all the Companies, except Roanoke, are deficient in funds to complete their works—and as soon as the state of the fund for internal improvements will admit of it, the Board recommend to the General Assembly to aid them by additional subscriptions of stock."

Mr. Y. said, it was with a mingled sentiment of astonishment and regret, he saw this remark in the report of the Board, and could only ascribe it to a want of correct information on that subject. Sir, said he, it is no less the duty, than the right of the representatives of the people in this place, to speak freely of the opinions or conduct of those to whom great public measures are entrusted; and I hope, that if the interest of the people upon Roanoke has not been understood or attended to by this Board heretofore, that it will receive hereafter its full share of attention. What, he asked, are the facts, in relation to the Roanoke Company? The State subscribed for 2500 shares in that Company, & has paid only \$13,750; whilst in the Cape-Fear Company, in which she subscribed \$15,000, she has paid the whole amount. Whether individual stockholders had paid in full he did not know, but that was for the Board hereafter to report. To the Roanoke Company, little more than half the sum subscribed has been paid. This State has a right to subscribe \$55,000 more in the Roanoke Company; and this he thought right, because when that sum was subscribed, this state would stand on an equal footing, in interest in that Company, with the State of Virginia, who held stock in it to the amount of \$80,000.

But the Roanoke Company have, as yet, applied in vain to the Legislature of this State either to take the shares thus reserved, or relinquish the right of the State, so that individuals may subscribe for them. They have refused to do either. As an individual it was with him immaterial whether the State subscribed for these shares or not; but as a citizen of the State, he felt great solicitude on account of the influence which it would give the State in the concerns of the Company. If the State were to relinquish her right to subscribe for these shares, 24 hours would scarcely pass, before they would be taken up by individuals. When the Board of Public Improvements come to take a correct view of the subject, they will find that the Roanoke needs the assistance of the State as much as any other of our Rivers.

It had been stated by the gentleman from Randolph, and he had heard it elsewhere, that the act incorporating the Board of Public Improvements gives them unlimited powers to apply the money arising from the sale of the Cherokee land as they please. It was only necessary to read the law to be convinced that the Board could not apply its funds but agreeably to the directions of the Legislature. Mr. Y. read some sections of the act to confirm what he had stated.

The road, of which the gentleman from Randolph speaks, which the Board caused to be laid out through the Cherokee lands, and for the making of which they have since entered into a contract, was laid out in consequence of a separate act expressly directing the Board thus to expend a part of the funds arising from the sale of the Cherokee lands.

The gentleman from Randolph complains that some of the Navigation Companies have improperly applied their funds, speaking particularly of the Cape-Fear Company, with whose conduct he said he was best acquainted. Mr. Y. had no doubt, that, in some instances, not only in the Cape-Fear Company, but in others, private interest might have been too much consulted. But the act of last session was intended to prevent a recurrence of these abuses, by placing the several Companies under the direction of this Board and the principal Engineer.

He knew that the high salary which had been given to the Principal Engineer had been objected to, and he knew also what had taken place between the Board and the Engineer; but this is a matter which does not properly belong to this discussion. The Board have the power to receive the resignation of the present Engineer & employ another, if they think

proper. They have received his resignation, and he will go out of employment in the course of the next month, and his Assistant soon after; and the Board will employ them or others at a more moderate compensation. No doubt they will do so; if not, the elective principle we retain over them, will command them to walk out of office, and give place to others who will act agreeably to the public will.

It was erroneously believed by some, that the present Board had contracted with the Principal Engineer and his Assistant now in office; but if they look into the subject, it will be found they were engaged by a member of the former Board still in England, and that the contracts were confirmed by the last Legislature.

We have not only our own experience, said Mr. Y. but the experience of other States, that our Public Improvements ought to be carried on according to some system, in order to insure consistency and economy. And shall we now, by passing this bill, say that no system is necessary, contrary to all the experience we and other States have had to the contrary?

Mr. Y. said the people he had the honor to represent were deeply interested in this question, as well as a very large portion of the State; and he regretted to learn from some parts, so deeply interested in the navigation of the rivers, the objections which had been urged. It has been said, that the improvements of our navigation should have commenced on the sea-coasts, and gradually extended to the interior of the country; that an outlet from Albemarle Sound to the Atlantic, & the opening and deepening the Swash, as it is called, should have preceded all other improvements in the navigation of the Roanoke. Gentlemen should recollect, that such an objection would subject them to the imputation of selfishness. I agree, said he, that all the water courses in the State susceptible of improvement should receive it, and there are no objects of public patronage more worthy than these: and let gentlemen who make these objections come forward with their proposition in the same way we have done upon the rivers, and we are not only willing to vote them subscriptions on the part of the Legislature, but to aid by individual subscriptions in any practicable scheme of improvement. With the public improvements going on upon Roanoke, said he, I am better acquainted than any other part of the State, & I maintain that the course they have pursued, in first removing the great obstacle to the navigation of the falls, is correct both as regards the immediate interest of the stockholders and the great interest of the country attached to that river. Above and below the falls we have at this time a tolerable navigation, but the produce of the upper country, in descending the river, was obliged to be deposited at Rockland, and from that place transported to a place below the falls, where it was again received by large boats and carried to market. But so soon as the canal shall be finished, the produce will be carried by water in the boats of the upper country, through the canal, where it will be received in large boats and immediately carried off to market. So that the expense of transportation by land around the falls will not only be saved to the planter, but all the risk and exposure of the produce now experienced will be avoided. Having served for twelve or eighteen months as a Director of the Roanoke Company, said Mr. Y. I know something of the opinions and feelings of the directory upon this subject; and I believe it is their unanimous opinion that so soon as the canal around the great falls shall be made navigable with safety, that the balance of the capital shall be immediately expended in improving the navigation of the river above and below the falls at the same time. They have a capital, if I am not mistaken, said he, of about \$393,400. Of this sum, it is estimated that the canal will cost about 228,000. And the balance of the capital, it is contemplated to apply in removing obstructions to the navigation above and below the falls. Sir, said he, the people on that river are greatly interested in this arrangement of the improvement of its navigation: to the people in the upper country it will prevent delay, expense & risk in their produce; and to the people below, this speedy course to effect the navigation will pour into the bosom of their counties the wealth of their western brethren. The counties of Halifax, Northampton, Martin, Bertie and others immediately contiguous to the river, will feel the effects of this improvement: it will force, it persevered in, a market at their own door, and diffuse its wealth through all their borders. What county in the State, is more interested in improvements than Halifax, and what county has received more of its benefits already? Thousands and hundreds of thousands of dollars have been & will be expended in that county on Roanoke, and yet strange to see, that her public councils have hitherto shown such apathy on the subject. I call upon her representatives, said he, upon this occasion, as well as those of the other counties in that part of the State, to assist us, upon this important question. The interest of their people is greatly concerned and we should put to rest forever an attempt to destroy system and energy in our public improvements, if we

intend to carry them on. It behoves every part of the State interested in improvements, to adhere closely to the system which they have adopted, otherwise all their fond anticipations on this subject will be blasted. The navigating interest of Roanoke, from its source to its mouth, is the same, and if we cannot unite upon this question, in vain may we expect to do so hereafter.

Mr. Y. called upon gentlemen disposed to pursue a liberal policy in every part of the State, to weigh the question before the Senate with all the seriousness its importance demanded. Should this bill pass, all public improvements will be abandoned, and cannot be resumed; for, after such a breach of faith, the public faith of N. Carolina would not again be relied upon. Mr. Y. read the first section of the act appropriating the money arising from the sale of the Cherokee lands to internal improvements, and contended that the terms of the contract, if not legally binding, were morally so on the Legislature. "unless the necessities of the State shall render it necessary for some future Legislature to apply the said fund, or part thereof, to some other purposes of state."

Do the necessities of the State, asked Mr. Y. now require that this fund shall be diverted from its object? To answer this question, look at the state of the Treasury. It is, said he, in a flourishing condition. There was a balance in the Treasury on the 1st of November last of \$156,875. And supposing the expenses of next year to be equal to the expenses of this year, there will be an overplus of \$5,849, independent of the revenue which will come into the Treasury in the mean time; & the annual revenue has exceeded the annual expenses upwards of 10,000. Where then is the necessity of diverting this fund? Shall we do it, he asked, because the people of Randolph complain of some abuses on the Cape-Fear? If so, the people in other parts of the state would have much greater cause of complaint.

We exhibit at this time, said Mr. Y. a strange spectacle. We have been exerting ourselves for the last five years to get appropriated by the State for Internal Improvements \$83,000—47,000 of which only has yet been actually paid, and now a proposition is presented for overturning every thing that has been done! What, said he, has the State of Virginia been doing during this time? Turn your attention to her laws on this subject. They are founded upon the sound basis of public economy. Whenever a proposition is made for improvement in any part of the State, it is immediately attended to. Not only hundreds of thousands, but millions of dollars have been appropriated to these objects. Look also at South Carolina, half a million at a session has been appropriated for internal improvements. The consequence is, that State is rising rapidly in wealth and respectability. Look also at the young State of Tennessee, but the other day a part of this State, and a great part of the population of which went from North Carolina. Indeed, said he, many of the most distinguished men in the Western and South-Western States drew their first breath in this State, men who have been driven from us by the niggardly policy which has too generally influenced our Councils. She has appropriated 500,000 dollars at a session for public improvement. We hear of no propositions in these States for repealing any law for promoting Public Improvements. Pass the bill on your table, said Mr. Y. and you not only destroy all the Works that have been contemplated for the improvement of the State, but you wound to the heart every enlightened man in the State.

Mr. Y. said, he knew that men were to be found in this, as well as all other countries, so fond of popular favor, that they found it convenient to promise to their constituents to diminish the public expenditure, when at the same time they knew that the public interest forbid it. It has been said, sir, that the people of the State are dissatisfied with the law creating a fund for internal improvement, and with the charters heretofore granted to companies for the improvement of the rivers. I am aware, sir, said he, that attempts have been made to prejudice the minds of the people against those measures, & perhaps for the express purpose of obtaining seats in this House upon those prejudices; but the great body of the people of the State are satisfied, notwithstanding a few men may have risen up here and there against them. I hope, sir, said he, the great interest of the State is not to be sacrificed, to answer such private views. If gentlemen seriously entertain doubts as to the success of our improvements, it is but fair at least, to give its friends an opportunity to make an experiment.

Mr. Y. concluded by saying he hoped the Senate would crush this attempt, which strikes at the root of all valuable improvement in the State.

Mr. Hogan said, the Gentleman from Caswell had either misunderstood him, or he had not understood himself. That Gentleman had told the committee that he (Mr. H.) had said the Board of Public Improvements had a right to apply the money arising from the sale of the Cherokee lands as they pleased. This he did not say; but that by the law for making the road, the Board was unlimited as to the expense.

Mr. H. did not expect that any thing he could say would have any influence on the members of the committee. Indeed, he did not believe there were many Gentlemen present whose minds were not made up on this subject. If the decision of the question depended on a multiplicity of words, he should give it up. He had no pretensions to eloquence. He had, in a plain manner, stated his objections to the great expense incurred, and the little benefit derived from Public Works. As to local interests he had none; there are, doubtless, gentlemen present, who are much biased by private interest. When this vote is taken, said Mr. H. it will determine whether the people of the State are satisfied with what has been done in relation to Public Improvements, or not. God forbid, said he, that I should do any thing contrary to the public interest—all I wish is that the public sentiment may be ascertained on this subject.

Mr. Yanney knew not what the Gentleman from Randolph meant, when he spoke of a multiplicity of words. This committee he presumed, would indulge every Gentleman who might be disposed to speak on this interesting subject, with a hearing. Nor could he believe with the gentleman from Randolph, that every gentleman present had made up his mind how to vote on this question. He had believed that gentlemen met here for deliberation, and that no one would refuse to pay attention to the arguments which might be made in favor of, or against any measure which came before them. If the gentleman have no interest in any Public Improvement, he may be concerned to support a pledge which he may have made to his constituents to oppose every thing in relation to Public Improvements. Mr. Y. said, that the few shares of stock which he held was no object to him. He had taken them merely to evince a desire to countenance what he considered calculated to promote the best interests of the country.

Mr. B. Person observed, that he had at the last session, the honor of a seat in the House of Commons, and opposed the passage of the bill, which it is now proposed to repeal; believing that the friends of the measure could not effect the objects which they had in view, and he should now be in favor of the repealing bill.

Mr. P. was of opinion that this State is susceptible of improvement on a limited scale; but he thought the views of the friends of Improvement were too extensive to be carried into effect. The people, he said, were so much dissatisfied with what had taken place, that they were desirous of putting a stop to further useless expenditures of public money. He thought it best to pass this bill. It would be a considerable time before the greater part of the money arising from the sale of the Cherokee land would be received, and operations might then be commenced, perhaps, with a better chance of success. What would be received for a year or two would do little more than pay the Engineer's salary; no Navigation Company therefore could be benefited by it. And when we take into consideration the present embarrassed state of the people, when we lay our hands upon any fund of public money, we ought to be certain that it is to effect some valuable purpose, and not to be expended on any visionary object.

If the repealing bill shall pass, a future Legislature, said Mr. P. will have power over this fund, and may apply it to some purpose more favorable to the interests of North Carolina than the one now in view.

As respects the powers given to the Board of Public Improvements, he acknowledged they were limited. The Legislature were to determine on what objects the funds should be expended; but the Board were to recommend objects to their attention, and this recommendation will doubtless have considerable weight with the Legislature.

Mr. P. said, the public faith was not so pledged to appropriate the fund in question to Public Improvements, as that if the Legislature thought it could be more usefully employed, it might not be otherwise disposed of.

Mr. P. concluded by saying that he was unable to devise any plan to redress the grievances of the people; but hoped such a plan would be formed. If, said he, we could effect a Navigation through the centre of the State, or to some principal town in the State, it would be a great object; but he did not see much benefit arising to the State from making navigable waters to Virginia or South Carolina. He should therefore vote for the bill on the table.

Mr. Wellborn did not expect to have taken any part in this debate. But the gentlemen from Moore and Randolph had expressed sentiments on this subject which he by no means approved. They were for giving up the ship at once. When he discovered this, he felt bound to give his opinion to the committee.

It was his wish to give every cent arising from the Cherokee lands to the aid of Internal Improvements. We are, said he, far behind our sister states in this respect. He had thought some money might be saved by repealing the law in question; but he had no idea of applying the money to any other object. We have put our hands to the plough, said he, and I and