Speech of Representative Samuel Augustus Bridges (PA) 
Regarding the Transcontinental Railroad, June 1854

I desire to claim the attention of the committee for a short time, while I attempt to express my views upon the bill now before it, which is a “bill to provide for the establishment of railroad and telegraphic communication between the Atlantic States and the Pacific Ocean, and for other purposes.” And in approaching so grave and important a subject, I cannot but be sensible of my inability to do it justice, so conscious am I of its magnitude, and of the great and almost incalculable consequences which will surely follow a passage or a defeat of the bill. For I am fully aware that, should the bill pass, many of the magnificent results which have been so vividly painted by the brilliant eloquence of its friends, would be realized for a time; whereas, would it be defeated, in my opinion far greater and more permanent blessings would be ultimately conferred upon the country.

I cannot stop now to consider the commercial and other benefits which would doubtless accrue to the inhabitants of our sister State upon the Pacific; nor can I suffer myself to be charmed and allured from the path of duty by the ideas that a railroad to that ocean would be the great vein through which African Asiatic exports would flow to Europe; and that the consummation of so vast an enterprise would be one of the crowning glories of the nation. But I must be governed, if I may use the expression, by a higher and holier motive. For I am reminded that there is a venerable and sacred instrument, known as the Constitution of the United States, which I bound myself, by the solemn sanctions of an oath, when I took my seat in this House, to support. And by that instrument I am anxious that my action as a legislator shall be governed. Although I might rejoice as much as any one to see the Atlantic and Pacific bound together by the great iron band, and the distance between them by land annihilated by steam, yet I look upon the preservation of the Constitution as of vastly paramount importance, which should be looked upon by all as the great and eternal band that alone can hold the Union together. Let that important ligament be once severed, and it would at once fly into fragments too antagonistical to each other ever to be reunited. To a strict and religious preservation of that instrument, every motive of self-interest and self-aggrandizement should yield. Cease to acknowledge its towering superiority and to admit its power, its speedy overthrow would follow, and legislation would run wild. From this brief introduction my position in relation to the bill may be understood, and my sentiments anticipated. I therefore will proceed to notice some reasons why I cannot consistently yield it my support.

The bill provides for an appropriation by Congress of “a quantity of land, equal to the alternate sections to the width of fifteen miles on each side of such road, from the terminus thereof on the Mississippi river, to the one hundred and sixth degree of longitude west from Greenwich; and from thence westerly to the eastern line of the State of California, alternate sections to the width of twenty-five miles on each side of such road; and from thence through the State of California to the western terminus of such road, alternate sections to the width of fifteen miles on each side thereof.” This, it will be perceived, is a scheme a little less in magnitude than the famous Whitney scheme of obtaining from Government a tract of land sixty miles wide, to extend from Lake Michigan to the Pacific ocean, for the purpose of building a railroad between the two points. To that I was opposed. To the present scheme now under consideration I am opposed, because I believe its execution would directly conflict with some of the provisions of the Constitution. In the first place, view it as impartially as I can, I am impressed with the belief that it is designed to be, and will ultimately be, an enterprise of the Federal Government. And when, I say this, I
do not wish to insinuate that the present Administration is particularly interested in it; or has, or will have anything to do with it, any more than to execute the law, should it think proper to do so, if passed; but, judging from the terms of the bill, the fund demanded, and other things connected with the measure, I think my conclusion is correct.

The bill proposes that the Government shall contract with individuals for the construction of the road; that it shall furnish the fund by which it is to be made, not in money, it is true, but by a cession to them of a vast strip of territory, which is, in substance, the same thing; that in case the contractors shall fail to carry out the contract according to its terms, the work is to be forfeited to the Government; and that, should they complete it, they are to hold it in trust for a limited time, and then surrender it to the Government. For, in the second section of the bill it is required that the sealed proposals for constructing the road, which shall be submitted to the consideration of the Secretary of War, shall, among other things, contain “the time in which such party, or parties, will surrender and transfer, free of any cost to the United States, the said road, with its appurtenances and furniture.”

Now, the bill does not state upon what conditions it is to be surrendered, in the absence of which I have a right to presume that its surrender is to be absolute and unconditional; that it will then become the property of the United States, and be under, and subject to the control of, the Government. It is then most certainly, either presently or prospectively considered, emphatically an enterprise of the Government; an enterprise not warranted by the Constitution, and which, if carried out, would be a plain and palpable violation of some of its provisions. It would be an exercise of a power which the people never intended by that instrument to confer upon the Government, and which they deny does confer and which, if exercised, would be dangerous in the extreme. For if the Government can constitutionally engage in such an enterprise, it can engage in any enterprise of the same, or a similar kind, not of a national character. This suggests an important inquiry, which is, whether the contemplated work is one of a national or local character. For if it is the former, and necessary for our common defense, then, if there were no other obstacles in the way, I admit that Congress would have the right to pass a bill, and the Government the right to construct the road.

Upon a point so plain as this I scarcely feel justified in referring to any authorities; but as I have them at hand, I will refer to two only. Mr. Monroe, in returning a bill passed in relation to the Cumberland road, with his objections, said:

“Congress have an unlimited power to raise money, and that, in this appropriation, they have a discretionary power, restricted only by the duty to appropriate it to purposes of common defense, and of general, not local, national, not State benefit.”

And General Jackson, in his message vetoing the Maysville road bill, in 1830, said:

“Notwithstanding the union of the Government with the corporation, by whose immediate agency any work of internal improvement is carried on, the inquiry will still remain, is it national, and conducive to the benefit of the whole, or local, and operating only to the advantage of a portion of the Union.”

That the work proposed in the bill is not national, but local in its character, cannot be questioned. For who is to be benefited by it? Not the nation at large any more than by any other improvement of the kind located between any other two points in the country, but the inhabitants at the termini of the road, and those who may hereafter settle along it. But its main object is, and it cannot be disguised, to benefit principally the people of California, and especially the people of San Francisco. That the latter would be greatly benefited by it there can be no doubt, and especially if the latter place should become the point, as it doubtless would, of transshipment of the still further western exports to European markets. So also
would the people at the eastern terminus of the road in the Mississippi valley be greatly benefited by it. But yet it would only be a *local*, not *general* benefit. It would be merely an individual, not general and collective advantage. Because the citizens of New York, Albany, Buffalo, and of many other intermediate points, are benefited by the Erie Canal, it would not do to say that it was anything more than a local benefit, and therefore a work local in its character. And although it may afford facilities for traveling and transportation to the people of the whole country, who choose to improve it, yet that does not change it into a work of a national character. Neither does the possibility that the Government might, at some distant day, transport troops and munitions of war over it, give it a national character, and render it necessary for common defense. Nor could the road, contemplated by the present bill, simply because it would facilitate communication between the East and West, be beneficial to the people at its extreme and intermediate points, and convenient to the people of the country generally, partake of a national character.

To make an improvement national, it must be expressly intended for the common use or common defense of the nation; that it is to be set apart and devoted to that, and that alone, irrespective of sectional or local benefits to be derived from it. The mere right allowed to the Government in the bill now before us, to transport troops and munitions of war over the proposed road, does not give it a national character. For, in time of war, all public avenues and means of communication from any point in the country to another, are always subject to the use of the General Government, upon its rendering a reasonable remuneration for it. The mere contingency, then, that it might, at some future time, be wanted for such purposes, does not determine its character to be national, but leaves it yet local; and if so, the Government has no right to make it, nor to have any interest in it whatever, either present or reversionary.

But should it be made, however, for the purpose of benefiting the people of California, it may be done to benefit the people at any other and all other points of the Union, until the Government would be launched upon so wide a sea of internal improvement that it would not know where to land. In a few years, not only the public land, which strictly belongs to the people, but their money, would be squandered, and, in addition a public debt incurred equal to that which now hangs so heavily upon England. To guard against this the Constitution was intended. It was designed by the fathers of the Republic that its Government should be as simple and contracted in its operations as possible. That it should never be surrounded by anything so complex and mystical that the common intelligence of the people could not easily penetrate it; that it should, emphatically, be a Government that should be taken care of by the people, and not a government to take care of the people. That it should be the "*servant* and not the *master* of the people," as was very properly remarked the other day by the honorable gentleman from New York, [Mr. SMITH.] They well knew the tendency of foreign Governments to centralization, and its disastrous effects upon the liberties and welfare of the people. They viewed with alarm their constant grasping after and acquisition of power, and hence the restrictions of our Constitution, and their strict interpretation at the time of its adoption. It was not then intended that the Government should exercise any power except those expressly granted. It was not intended that anything should be left to implication; and from the careful wording of the instrument, it was supposed there could not.

Yet I must refer to a dark page in the history of the country, when all the strong guards which had been thrown around it were broken down, and implied powers were exercised. I refer to the appropriation of moneys for the Cumberland road of 1806. Never was there a more flagrant violation of the Constitution than in that instance; and so far has the Government wandered from its legitimate sphere, that it was extremely difficult to arrest it, and bring it back within constitutional limits. And nothing else but the iron nerve of a Jackson could have done it, which he successfully did in 1830 by his veto of the Maysville road bill, to which I have before referred. He saw the alarming extent to which a thirst for internal improvement was carrying the Government, and the inextricable difficulties into which it would plunge it. He saw the necessity of at once checking the intermingling of the Government with the people, and public with private interests, and of cutting off what seemed to him an improper dependence of the people upon the Government. And, sir, it is not only an improper, but a dangerous dependence. For, in the same
proportion as they depend upon the Government, they weaken their own hands, curtail their own power, and strengthen the hands and increase the power of the Government. It is the nature of Governments to advance whenever the people give way, and whenever it finds opportunity, stealthily indeed, if not open and publicly...

Sir, suppose for a moment that the bill should pass, and the appropriation should be made, would that be the end of it? Will that be the only appropriation to be asked? No, sir, it will be only a beginning of the appropriations that will follow. Has it often occurred, in the history of congressional legislation, that the first appropriation was sufficient for the accomplishment of any work of much magnitude? Do we not know that we are almost daily called upon for appropriations of money for the completion of works, when previous appropriations had been considered amply sufficient? In proof of this, may I not again refer to the famous Cumberland road case, the first appropriation for the construction of which was but $30,000, yet before it was completed, with its extensions, it cost the country over $2,500,000! And there it is now, a sad and lamentable evidence of weak legislation and governmental folly, upon every inch of which you can read the words written in bright and blazing characters: “violation of the Constitution.”

But again I say appropriate it, and what then? Why, in a short time your contractors will complain that they are unable to carry out the contract, and will knock at your doors for another appropriation of land, if you have it, but if not, your public Treasury must be drawn upon, until eventually nearly as much money will be taken from it as the whole of California, with all its gold, is worth. This, perhaps, may be called exaggeration; but it is, comparatively, no exaggeration; it is truth, which time will prove if you pass the bill. But, in answer to this, it may be said that only one appropriation will be necessary, inasmuch as the bill will require the contractors to give security to the Government for the accomplishment of the enterprise. Security! What mockery? The most of the securities ever taken by the Government have been mere forms without substance, mere cob-webs, as easily broken as made. We all know that there is no reliance to be placed upon them. We have, in fact, very recently appropriated several thousand dollars for the completion of a job which a man had given security for the completion of so gigantic a work. They may, to be sure, as is usually the case, get men of straw, whose names may appear well upon paper, to make a show of security. But let me assure you that no man, or act of men, who are able and responsible will ever become bound for its completion. If they did, and the contract should fail when called upon to fulfill their obligations they would very suddenly feign to have become worthless, or there would be some loop-hole of escape, and the Government would get nothing. Such is the fate of governments. They are made to be cheated, plundered, robbed. It is of every day’s occurrence in small ways, and often in very large ones. It is nothing new. There are many Galphins and Gardners yet living whose craws will be one day wrongfully filled from the public crib. Besides, nearly half a generation would pass away before the completion of the work, long before which the contractors and their sureties, a part if not all, would be gone and their epitaphs written; for it would require at least fifteen years, according to the calculation of competent men, to complete the work. The enterprise cannot be successfully carried out in the way proposed in the bill. It is preposterous and absurd to suppose it. It is an enterprise too gigantic to permit it. It never can be done…