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A D D R E S S

OF

JOHN QUINCY ADAMS,

TO

HIS CONSTITUENTS

OF THE

**TWELFTH CONGRESSIONAL DISTRICT,**

AT BRAINTREE,

SEPTEMBER 17TH, 1842.

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1842.

# RECEPTION

OF THE

## HON. JOHN QUINCY ADAMS,

BY HIS CONSTITUENTS.

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THE reception of this venerable statesman and patriot, by his constituents of the twelfth Congressional District, took place, agreeably to public notice, on Saturday last, near Weymouth landing, in Braintree. The whole proceedings of the day do high honor, alike to the citizens of the District, in showing so just an appreciation of the distinguished services of their faithful and honored public servant, and to the worthy object of this unusual mark of esteem and grateful regard.

The procession of citizens of the District formed, at about one o'clock, in the Rev. Mr. Spear's church, in Weymouth, and marched from thence to the meetinghouse of Rev. Mr. Perkins, in Braintree. HON. NATHANIEL MORTON DAVIS, of Plymouth, presided over the meeting, assisted by the following officers.

Seth Sprague, of Duxbury,	} Vice Presidents.
Thomas Greenleaf, of Quincy,	
Micah Pool, of Abington,	
Minot Thayer, of Braintree,	
Anson Robbins, of Scituate,	
Sylvanus Bourn, of Wareham,	
Sidney H. Gay, of Hingham,	} Secretaries.
John A. Green, of Quincy,	
John M. Spear, of Weymouth,	

Over and around the pulpit were painted, on white canvass, the following inscriptions of welcome to the able defender of the rights of petition and the rights of man. Over the pulpit; "*Let there be light.*" On the right; "*Welcome defender of the right of petition.*" On the left; "*Shame on the nation that fosters and sustains an institution, which dares assail and would destroy the sacred right of petition.*"

The church was thronged and crowded in every nook and corner,

with a dense mass of the intelligence and beauty of the vicinity. A large number were present from the neighboring towns—some from quite a distance, all anxious to do honor to their intrepid and indefatigable public servant. Upon the entrance of Mr. Adams into the church, the whole assembly, ladies included, rose to welcome him. After a prayer had been addressed to the Throne of Grace, by Rev. Mr. Perkins, of Braintree, the President, Mr. Davis, addressed to Mr. Adams the following brief but excellent, appropriate, and expressive welcome, which was cordially and warmly approved by the assembly.

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## MR. DAVIS'S SPEECH.

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We are assembled, fellow citizens, from all quarters of our Congressional District, from the banks of the Neponset to the Rock of Plymouth, to welcome the return of our venerable Representative, at the close of the longest, and certainly one of the most exciting sessions of the Congress of the United States.

Since the formation of this District, a period of nearly ten years, he has represented us on the floor of Congress. We meet to day, therefore, to thank him not merely for the services of a single session, but to acknowledge the debt of gratitude which has been accumulating during the whole of that period. I believe I express the universal sentiment, when I say that those services were never more highly estimated than at this moment. They have never been more signal than during the session of Congress which has just terminated.

Conspicuous as have been the efforts of your Representative upon these great questions, the Tariff, Distribution, the Veto Power, yet, gentlemen, our country and posterity will reserve their highest honors for his commanding eloquence and gigantic labors in defence of a right, without which all other rights and all other interests are of small account, the Right of Petition. For the maintenance of this right, guaranteed by the constitution in the broadest terms, your venerable Representative has been branded as a traitor, and his expulsion threatened from the post where you had placed him. I need not tell you of the signal defeat of the enemies of that right, in their desperate attempt to overpower and disarm its veteran champion. That is a triumph, gentlemen, of which Southern chivalry cannot yet boast.

“ Though aged, he was so iron of limb,  
 Few of our youth could cope with him,  
 And the foes whom he singly kept at bay,  
 Outnumbered his thin hairs of silver grey.”

The compromise, at the formation of the constitution, between freedom and slavery, was undoubtedly founded on the belief that the

latter would dwindle and die. Let that compromise be maintained. The interests of humanity, involved in the preservation of the Union, are too momentous to be hazarded by the disruption of this glorious confederacy. But while we rally, with unwavering fidelity, around the banner of the Union, let us not be false to the spirit of the men who formed it.

Let us not suffer that Union to become the instrument by which slavery is to be perpetuated, at the expense of the rights and interests of the North. To the people of this district belongs the honor of sustaining, for the last ten years, a Representative eminently faithful in their defence. At each and every attempt of Southern Representatives and their Northern allies, to sacrifice, at the altar of slavery, the freedom of speech and of the press, the right of petition, the protection of free labor, and the immunities and privileges of Northern citizens, he has never failed to sound the alarm, and to gird himself for the battle. Sagacious to foresee, and prompt to denounce the project for perpetuating slavery by the annexation of Texas, to him in a great measure belongs the credit of warding off, not only that annexation, but the war with Mexico, by which it was to be effected. Ever at his post, by day and by night, no matter how violent the assault, against any odds and all challengers, this soldier of freedom has never shrunk from the encounter. Amid insults, abuse and obliquy, the fiercest fury of Southern invective, in the wildest of the storm, breasting the mad lashings of the waves, he has stood, a watch-tower upon a benighted coast, to illumine, to cheer, and to save.

Permit me sir, to congratulate you on your safe return. This thronging multitude of your constituents and friends, come to bid you welcome, and to express their gratitude for your untiring labors.

Assembled in this ancient town of Braintree, memorable as the birth place of your illustrious father and yourself, our minds naturally revert to the important parts which both have sustained, in promoting the fame and honor of our country. It has been your fortune, in posts of the highest trust and honor, to have lent your powerful aid to strengthen and perpetuate the institutions of which he was so eminent a founder. Of yourself it may truly be said, that your life has been your country's. For more than half a century you have been devoted to the public service—in youth and in age—at home and abroad—in foreign courts and in the national councils—as Chief Magistrate of the Union, and as a Representative on the floor of Congress. We look back with wonder and gratitude upon services so vast and various.

I should do injustice to my own feelings, sir, did I fail, on this occasion, to allude to your administration as President of the United States. Who, now, doubts its ability, its purity, and its wisdom? Under its mild and benignant rule, the prosperity of the people was disturbed by no experiments upon their industry. That industry was protected and fostered with a careful hand. The currency of the country, disordered by no sudden and ill advised tampering of the Executive, supplied the wants and facilitated the business of the

people. The will of the Executive was not then interposed to defeat the policy, and to negative the laws, of the people's Representatives, nor was the constitution set at defiance on the personal responsibility of the Chief Magistrate. The patronage of the Government was not exerted to subserve the interests or to secure the success of party. The doctrine that offices are the spoils of victors, and the rewards, not of public but partizan services, is of more modern date. In fine, it was an administration whose only guides were the constitution and laws, and whose only end was the public welfare. This, sir, is no party eulogy. It is a part of the history of the country—and in the future pages of that history, may many administrations, of equal purity and patriotism, mingle their mild glories with your own.

Yet, sir, your services in the highest office of the nation, have not surpassed in magnitude those which you have rendered as the Representative of this District. Your proudest honors are your last. Advancing age has but advanced your usefulness and fame. The course of your life is like that of the unclouded sun—bright in its dawn—splendid at its meridian—going down in glory.

## MR. ADAMS'S ADDRESS.

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The first and all absorbing sentiment of my heart, on being honored by you, my constituents of ten years' standing, with this reception, is *gratitude*—gratitude to God, by whose mercy I have for the space of twelve years, and through six successive Congresses, been sustained in the performance of the arduous duties of the station assigned to me, by your *kind* indulgence—*gratitude* to you, for the steady, consolatory, and cheering support which you have uniformly and invariably extended to me through good report and evil report, through all the vicissitudes of public affairs, for that long period of time.

Gratitude, warm, sincere, intense, when it takes possession of the bosom, fills the soul to overflowing, and scarce leaves room for any other sentiment or thought. It swells with a general impulse, for *all* the favors which gave it birth and being. It then loves to dwell upon *details*. It treasures up in the memory every particular instance in which the liberal spirit of the benefactor has been exercised; it lingers over the remembrance of small incidents, perhaps scarcely observed when they occurred.

As between the Representative and the Constituent, what stronger testimonial of continued confidence and kindness can be given than the recommission of the same trust to the same hands. My first election, as a member of the House of Representatives of the United States, was for the Plymouth District, under the census of 1820, when the proportion of Massachusetts in that House was 13 of 185. During that Congress a new apportionment was enacted under the census of 1830. The number of Representatives in the House from the Commonwealth of Massachusetts was reduced from 13 to 12, while the whole number of the House was increased from 185 to 240, and soon afterwards by the addition of two more for the States of Michigan and Arkansas. Five re-elections, at two years distance from each other, under this apportionment, have constituted me your Representative during the whole period of your existence as a District—and now, even now, at the moment I am speaking, your existence as a Congressional District has been closed by the repeal of the law by which it was instituted; so that, after having served as your Representative during the whole term of your corporate life, I am left henceforth, during one more short session of Congress, to serve as the Executor of your last will and testament.

I undertook to discharge to the best of my abilities the duties of your Representative, at your spontaneous, unsolicited, unexpected



call, under a deep sense of the obligations which that character would, in any circumstances, have devolved upon me, and of the enhancement of those obligations, by the peculiar circumstances of kindness and favor under which that call was made, when, after half a century of almost uninterrupted service of this confederated nation, a great part of the time in stations of the very highest honor, dignity, and trust, a majority of the people of the Union had manifested their willingness to dispense with my further services, and their preference of my competitor for the office of their Chief Magistrate, I could not be insensible to the consideration that whatever return for long and faithful service I had received from the whole nation, your confidence at least was unabated, either in the integrity of my intentions or in my capacity to serve you—nor can I disguise or suppress the avowal, that this affecting testimonial of your esteem, acquired a fourfold pungency in stimulating me to the fulfilment of all my duties, under the new relations contracted between us, by the consideration that your call came from the pure, unadulterated lineage of the Plymouth Rock.

It has been my endeavor to discharge all the duties of the station, in which your favor has placed and continues me—faithfully and gratefully to you—faithfully to our native and beloved Commonwealth—faithfully to our whole common Country, the North American Union—faithfully to the world of mankind, in every quarter of the Globe, and under every variety of condition or complexion—faithfully to that creator, God, who rules the world in justice and mercy, and to whom our final account must be made up by the standard of those attributes.

Your confidence in me has been as steadfast as it has been liberal—I say it in gratitude and not in pride. It has descended from father to son. Since I was elected for the Plymouth District, the children, then at the schools, have become voters in multitudes, constituting the majorities of all recent elections. The majorities in my favor have always been large, even when unusual expedients were resorted to in contesting them.

The same liberality has been extended to me, in the judgments of my constituents, upon my public course as a member of Congress, on all the trying occasions when great interests have been involved in the deliberations of the National Councils. They have never trammelled me with instructions. They have never held meetings to concoct and transmit to me resolutions indicating a desire that I should modify my own opinions to make them more conformable to their own. They have left me free in the exercise of my representative functions, according to my own sense of right; and rare, very rare, have been the occasions upon which even the public journals of the District have exhibited dissatisfaction or censure from any portion of my constituents, at any of my votes or speeches in the popular deliberative Assembly of the Nation.

When I first received the honor of your invitation to attend this meeting, it occurred to me, that besides the occasion it would afford me to return to you, in this public manner, my heart-felt thanks for

all the favors which, in a continuous career of twelve years service, I had received at your hands, the opportunity would also be presented me, of reviewing the public measures of those twelve years in which your interests have been deeply involved—of unfolding to you the professions, principles and practices, of the federal administration of these United States, under the successive Presidents, invested with the Executive power, from the day when I took my seat as your Representative in the House, down to the present hour. I trusted it would be in my power to present to your contemplation, not only the outward and ostensible indications of federal policy, proclaimed and trumpeted abroad as the maxims of the Jackson, Van Buren and Tyler administrations, but to lay bare their secret purposes, and never yet divulged designs for the future government or dissolution of this Union.

Further reflection convinced me that this exposition would require more time, than you could possibly devote to one meeting to hear me. My friend and colleague, Mr. Appleton, has in his answer to an invitation from his constituents to a public dinner, lifted a corner of the veil, and opened a glance at the monstrous and horrible object beneath it; but South Carolina nullification itself, with its appendages of separation, secession and the forty bale theory, were but the struggles of Quixotism dreaming itself Genius, to erect, on the basis of State Sovereignty, a system for seating South Carolina slavery on the throne of this Union, in the event of success—or of severing the present Union, and instituting, with a tier of embryo Southern States, to be wrested from the dismemberment of Mexico, a Southern slave holding confederation, to balance the free Republic of the North.

“The passage (says Mr. Appleton) of the Revenue Bill, imposing discriminating duties with a view to the protection and encouragement of American industry, is, under the circumstances, an event of the very highest importance. Notwithstanding the system had been formally established in 1816, and fortified by succeeding legislation; notwithstanding its success in the development of our resources, and the establishment of manufactures and arts, surpassing the expectation of the most sanguine; notwithstanding the immense investments of capital made on the faith of the National legislation, inviting such application; the attempt was seriously entertained of breaking down this whole system, with a reckless disregard of consequences, either in the wanton destruction of capital, or what is far more important, in the general paralysis of the industry of the country. *The origin of this attempt may be traced to the mad ambition of certain politicians of South Carolina, who, in 1832, formed the project of a Southern confederacy, severed from the rest of the Union, with that State for the centre, as affording more security to the slave States for their peculiar institutions, than exists under the Federal Government.*

“This project led to the invention of a theory of political economy, which was maintained with an ingenuity and perseverance worthy of a better cause, founded on the assumption that all import

duties are, in effect, direct taxes upon exports. So indefatigable were the promulgators of this theory, that the whole South was made to believe that a protective tariff was a system of plunder levied upon their productions of cotton, rice and tobacco—which constituted the bulk of our exports to foreign markets. Nullification, separation, and the forty bale theory, have passed away from the minds of the South, and it is very evident that there is a tendency to more correct views on the subject: but such continues to be the prevailing prejudice, that very few of their public men have the moral courage to vote for a protective tariff, even when convinced of its tendency to promote the national prosperity.”

Mr. Appleton remarks that nullification, separation, and the forty bale theory have passed away from the minds of the South, and this observation is true, so far as regards the arrayment of the Palmetto standard against the banner of the Union; but you would entertain a very erroneous opinion of your own condition, and of the ruling spirit of the present day at the South, if you should flatter yourselves that Southern nullification has either changed its nature, or relented from its purposes. It is not the intention of Mr. Appleton to convey to his constituents and fellow citizens of this Commonwealth that idea. He knows that the principles of nullification were never more inflexibly maintained, never more inexorably pursued than they have been, by all that portion of the South, which *ever* gave them countenance, from the day of the death of William Henry Harrison to the present. I cannot doubt but that he knows that nullification is the *creed* of the Executive Mansion at Washington, and has been so from the 4th day of April, 1841. I hazard nothing, when I say that nullification is the acting President's *conscience*. That it is at the root of all his vetos—as well as of that master piece of Executive Legislation and Statesmanship, approving and signing a bill, and depositing, in the Department of State, reasons against it.

Fellow Citizens, I wish to speak to you of the present tenant of the People's house at Washington, with all the respect due to his present accidental dignity, and with all the tenderness due to the affliction of his recent domestic bereavement. I would even gladly spare his public character, in consideration of his private virtues, but that the deepest moral obliquity of double dealing is inseparable from the public official action of the man; and that this moral obliquity is urging him at once to his own ruin and to that of his country.

“ Allied, alas! forever to the crime,  
No kind exemption can the person claim,  
But blackens downward in the lapse of time,  
The equal partner of eternal shame.”

Charles the first, and George the third, were men of exemplary private characters; but it is remarked by Blackstone, that the greatest of Charles's misfortunes, was the loss in the opinion of his people of the reputation of *sincerity*.

And let me observe, that double dealing men, though too well adapted, under every form of government, to make their way in the world, and to attain the summit of power, can seldom hold their

course long under the inspection of the public eye, without being detected; and when detected, seen through forever after, in all the windings of their career.

But, Fellow Citizens, my Constituents, and it is in that capacity that I now earnestly invite your attention, as to a topic affecting your interests more vitally than any other thing on this side of heaven—Nullification, portentous and fatal as it is to the prospect and welfare of this Union, is not the only instrument of Southern domination, wielded by the Executive arm at Washington. The dismemberment of our neighboring Republic of Mexico, and the acquisition of an immense portion of her territories, from the mouth of the Rio del Norte to its source, and thence across the continent of North America, to the Pacific Ocean, including the port and harbor of San Francisco, in California, has been a gigantic and darling project of Andrew Jackson, already formed upon his first accession to the Presidency, shaped and matured during its continuance, and which he once suffered himself to be deluded into the belief was so near its accomplishment, that he actually offered the government of the territory of Texas to Hutchins G. Burton, a distinguished citizen of North Carolina, now deceased, but in his lifetime well known to me. The policy of the Jackson administration towards Mexico was worthy of Machiavel. A perpetual negotiation of treaties, never to be executed, was carried on in combination with a continual urging for the cession of Texas; while Texas itself was stimulated to insurrection against Mexico, and finally raised the banner of Independence under the auspices of a Tennessean officer, a military commander, favored and patronized by Jackson, and expatriated for the purpose of effecting this revolution—and it was accomplished. The Tennessean neighbor and friend of Jackson is now the President of the Republic of Texas, and at war with Mexico, which has never yet acknowledged her Independence. But the United States have; and the manner in which that recognition was effected affords a lucid commentary on the friendliness and good feeling, so loudly and confidently boasted of at the same time toward the Republic of Mexico.

Fellow Citizens, I did, on a former occasion, when the projected annexation of Texas became a subject of deliberation in Congress, in a speech which, according to the arbitrary rules of the House, I was compelled to deliver in the scanty fragments, often interrupted, of the morning hour, from day to day, from the 16th of June to the 7th of July, 1838, expose and lay bare the double dealing and perfidious policy of the Federal Administration towards Mexico, from the accession of Andrew Jackson to the Presidency; his secret movements for the dismemberment of that republic, and his panting passion for the annexation, by cession or by war, of Texas to this Union. The session of Congress closed before I could finish my speech, so that my demonstration remained incomplete; but I had furnished abundant evidence to satisfy any impartial mind of the Janus-faced policy which I then charged upon the administration, and the immediate effect of these disclosures was the apparent abandon-

ment of both the projects of war with Mexico and annexing Texas, for about three years. My speech was published in a pamphlet, for it embraced the Right of Petition, and the Freedom of Speech and of Debate, not less than the annexation of Texas. I sent copies of it to some of my constituents, in almost every town of the district, and I presume many of you may have some recollection of it. Among the omissions to my demonstration at that time, of the double dealing policy of the administration, was the evidence of the manner in which the recognition of the Independence of Texas was smuggled through the Congress. As the present Envoy Extraordinary and Minister Plenipotentiary to Mexico was one of the principal agents in that transaction, and as another transaction of a precisely similar character, and in pursuit of the same policy, occurred in the last half hour of the session of Congress just closed, it may be proper for me to invite your earnest and anxious attention to the facts which I shall now disclose, and which I take it for granted are known to few if any of you.

The severance of Texas from Mexico, and its annexation to the United States, was undoubtedly an object to the colonists who went from the United States to settle there, of earnest desire. The Ex-Governor of Tennessee went there with the intent to accomplish that design, just at the time when General Jackson attained the Presidency of the United States, and Houston's design to conquer and annex Texas, was, if not concerted with him, at least well known to him. In 1834, the revolt of Texas from Mexico was declared; precipitated if not chiefly caused by the abolition of Slavery by the Mexican Government. On the 2d of March, 1836, the Texan Declaration of Independence was issued, and on the 17th of the same month a Constitution of the Republic was proclaimed—framed on the model of those of our Southern States. It re-instituted the law of slavery, which Mexico had abolished—denied to the Legislature the power of emancipating slaves, and to the owners of slaves the power of emancipating them without the consent of the Legislature; it excluded all Africans, and descendants of Africans and Indians, from the name, rights and privileges of citizens, forever; interdicted the very entrance into the State of any free colored persons, without the consent of the Legislature; prohibited forever the admission of *Africans* or *Negroes* into the Republic, *except from the United States of America*, and declared it *piracy*, without affixing any penalty to the commission of the crime. There is a Declaration of Rights annexed to this Constitution, and declared to be a part of it. This declaration embodies all the usual guards for the protection of liberty, but it avoids the base hypocrisy of declaring the equality of rights of all men, which pollutes some of our slavery-sullied Constitutions. The Constitution of the Republic of Texas, more warily worded, virtually repudiates the sublime doctrine of the natural rights of man, by merely saying, "All men, *when they form a social compact*, have equal rights"—and you all see how wide a margin this leaves for slavery and the slave trade, in their most hideous and disgusting forms.

Within five weeks after the proclamation of this constitution followed the battle of San Jacinto; and from that day, the struggles of the southern politicians, who ruled the councils of this nation, were for upwards of two years unremitting, and unrestrained by any principles of honor, honesty and truth—openly avowed, and audaciously proclaimed whenever they dared—clandestinely pursued, under delusive masks and false colors, whenever the occasion required.

No sooner was the event of the battle of San Jacinto known, than memorials and resolutions from various parts of the Union, were poured in upon Congress, calling upon that body for the immediate recognition of the Independence of the Republic of Texas. Many of these memorials and resolutions came from the free States, and one of them from the Legislature of Connecticut, then blindly devoted to the rank Southern sectional policy of the Jackson administration, by that infatuation of Northern sympathy with Southern interests, which Mr. Appleton points out to our notice, and the true purposes of which had already been sufficiently divulged in an address of Mr. Clement C. Clay to the Legislature of Alabama. But there was another more hidden impulse to this extreme solicitude for the recognition of the Independence of Texas, working in the free States, quite as ready to assume the mask and the cap of liberty, as the slave-dealing champions of the rights of man. The Texan Land and Liberty jobbers had spread the contagion of their land-jobbing traffic all over the free States throughout the Union. Land-jobbing—Stock-jobbing—Slave-jobbing—Rights of Man-jobbing, were all hand in hand, sweeping over the land like a hurricane. The banks were all plunging into desperate debts, preparing for a universal suspension of specie payment, under the shelter of Legislative protection, to flood the country with irredeemable paper. Gambling speculation was the madness of the day; and in the wide spread ruin which we are now witnessing as the last stage of this moral pestilence, Texan bonds and Texan lands form no small portion of the fragments from the wreck of money corporations, contributing to their assets of two or three cents to the dollar. All these interests furnished vociferous declaimers for the recognition of Texan Independence.

These memorials and resolutions were in the House of Representatives referred to the Committee on Foreign Affairs, which on the 4th day of July, 1836, the day on which that session closed, reported that they had not been able to collect such information of the political condition of Texas as would warrant an immediate recognition of her Independence, but that the President had taken measures to collect that information. They recommended, therefore, two resolutions, both of which were adopted by the House. 1. That the Independence of Texas ought to be acknowledged by the United States, whenever satisfactory information should be received that it had in successful operation a civil government, capable of performing the duties and fulfilling the obligations of an independent power; and 2. That the House of Representatives perceived with satis-

faction, that the President of the United States had adopted measures to ascertain the political, military and civil condition of Texas.

On the 8th of December, 1835, President Jackson had commenced that same session of Congress with a paragraph descanting upon the rigorous obligation of *neutrality* binding upon the United States and their citizens in this civil war between Mexico and Texas; and had announced that "aware of the strong temptations existing and powerful *inducements held out* to the citizens of the United States to mingle in the dissensions of our immediate neighbors, instructions had been given to the District Attorneys of the United States, where *indications* warranted it, to prosecute, without respect to persons, all who might attempt to violate *the obligations of our neutrality.*"

What *indications* had preceded the battle of San Jacinto, fought under Texan banners, by a commander and an army almost to a man citizens of the United States, the world has never been informed. The obligations of neutrality were most emphatically acknowledged in the Message. The instructions to the District Attorneys had been to prosecute, without respect to persons, upon mere *indications* of an attempt to violate our neutrality. Regiments of combatants were daily flocking from the United States into Texas, to fight the battles of her liberty; but the District Attorneys, so faithfully instructed, could discover no *indications* which would warrant a prosecution, till the battle of San Jacinto told the tale; and after that, the memorials and resolutions clamoring for the recognition of the Independence of Texas, and the report of the committee of Foreign Affairs, composed of five members from the slave representation, and four northern men with southern principles, will, I think, afford to you sufficient *indications* of the sort of *neutrality*, which prompted a Jackson majority of the House to close, with two such resolutions, a session commenced with such fair and faithful professions of NEUTRALITY in President Jackson's Message of 8th December, 1835.

During the recess between that session of Congress and the one which commenced in December, 1836, President Jackson vigorously pursued his measures to ascertain the political, military and civil condition of Texas. He pursued also, at the same time, his negotiations to obtain from Mexico the cession not only of Texas, but of an immense territory besides, extending to the Pacific Ocean, and including the Port of San Francisco. At the same time his neutrality between Mexico and Texas was manifested quite characteristically, by expressly authorizing General Gaines to invade Mexico and take post at Nacogdoches, under the absurd pretence of a *fear* that the fugitive remnant of the Mexicans from the field of San Jacinto, were stimulating the Comanche Indians to invade the territory of the United States; which movement of General Gaines was performed in perfect harmony with those of the Tennessean commander in chief of the Texan army, General Houston. This act of flagrant war, by order of the President of the United States, trampling at once upon their Constitution, which reserves to Congress

alone the right of declaring war, and upon the territorial rights of Mexico, was met by the most earnest and persevering remonstrances from the Minister of Mexico in the United States, till wearied out by the paltering, shuffling, equivocating diplomacy of Washington city, he demanded his passports and went home, leaving behind him an indignant exposure of the whole proceeding, which the Jackson Cabinet was not ashamed to hold up, as itself a grievous offence against the United States.

In the mean time President Jackson sent a special agent into Texas, to ascertain the political, military and civil condition of that Republic. At the commencement of the next session of Congress, in the annual message, he delivered a sanctimonious homily on the solemn obligations of the United States to preserve their neutrality, in the conflict between Mexico and Texas, and was quite scandalized at the testy humor of the Mexican Minister, Gorostiza, for demanding his passports and departing, because to his complaints of the unprovoked and wanton invasion of the Mexican territory, he had received nothing but insulting and prevaricating answers—and this captious temper of the Mexican Minister was the more unaccountable, because he knew that General Gaines had received a reprimand from the Secretary of War, for executing his instructions, ordering him to cross the boundary of the Sabine and occupy Nacogdoches.

A fortnight later, President Jackson, on the 22d December, 1836, sent a Message to the House of Representatives, communicating the reports of the special Agent, Henry M. Morfit, on his mission to ascertain the condition of Texas. The Message enlarged with great earnestness upon the inexpediency of recognizing the Independence of Texas—insisting that the measure would be contrary to the policy invariably observed by the United States in all similar cases until that time—that it would be marked with great injustice to Mexico, and peculiarly liable to the darkest suspicions, inasmuch as the Texans were almost all emigrants from the United States, and sought the recognition of their Independence, with the avowed purpose of obtaining their annexation to the United States. Honor, honesty, fair dealing, and a regard to national faith and national fame, all concurred, according to this Message, absolutely to forbid, at that time, the acknowledgment by the United States of Texas as an independent State.

But during the brief remnant of time between the communication of this Message to the House, and the close of the session, which brought to a final close the powers of Andrew Jackson as President of the United States, he was busily engaged in the double operation of negotiating for the cession of Texas to them, through the joint agency of his friend, the Tennessean President of Texas, Houston, and the captive President of Mexico, Santa Anna, and of kindling up a war between that same Mexico and the U. States. The war was a preliminary step to the acquisition of Texas by conquest, and the voluntary co-operation of the people of Texas themselves, without needing the acknowledgment of their Independence; and the liberation of Santa Anna from his captivity, during which he had been



held in constant terror of being butchered in cold blood, was finally conceded, on condition that he should come to Washington, and pledge to Jackson all his influence to secure the cession by Mexico of Texas to the United States. He came accordingly to Washington; and on the 8th of February, 1837, President Jackson sent a thundering War Message against Mexico, recommending to Congress to pass an act, authorizing reprisals, and the use of the naval force by the Executive against Mexico, to enable *them* [the Executive] in the event of "the refusal by the Mexican Government to come to an amicable adjustment of the matters in controversy between us, upon another demand thereof made from on board one of our vessels of war, on the coast of Mexico." This mode of enabling the Executive to come to an *amicable* adjustment of controversies with a foreign nation, was no other than a demand upon Congress to authorize *them* to make war upon Mexico, without any declaration at all. Who *them* was did not appear on the face of the Message, but as its author was about to close his career as President of the United States, and Martin Van Buren was already proclaimed his successor for a term of four years, if Congress had granted *them* the power requested in the Message, the execution of it would hardly have been undertaken by Mr. Van Buren alone.

The ubiquitous Committees of Foreign Affairs, in both Houses of Congress, echoed back all the thunders of the War Message against Mexico, without lisping a word about the constitutional exclusive prerogative of Congress to declare war. But Congress did not pass an act to authorise *them* to issue reprisals, nor to use the Navy of the United States, nor to proffer an *amicable* adjustment of differences from the deck of a man-of-war on the Mexican coast. The Committee of Foreign Affairs of the House, reported a resolution that the Independence of the Republic of Texas ought to be acknowledged, but it found no favor with the House. It was laid on the table. Three other resolutions to the same effect offered by individual members from the slave representation, were discarded in the same way—but in the last hour of that session of Congress, and of the Presidency of Andrew Jackson, an amendment to the general appropriation bill of the year, moved by the member from South Carolina, now Minister of the United States to Mexico, made an appropriation "for the outfit and salary of a diplomatic agent to be sent to the Republic of Texas, whenever the President of the United States *may receive* satisfactory evidence that Texas is an Independent power, and shall deem it expedient to appoint such Minister." President Jackson approved and signed the bill containing this item of appropriation, and at the same instant sent to the Senate a nomination of a Charge d'Affaires to the Republic of Texas, which was instantly advised and consented to by the Senate; and thus it was that the Independence of the Republic of Texas, was recognized by the United States. What interval there was between the President's signing the bill and his nomination of the diplomatic agent, for him to receive the satisfactory evidence that Texas was an independent power, and what had become of the solemn moral obligation of the

United States to observe a rigorous neutrality between Mexico and Texas, so emphatically asserted in the opening Message of the session, and so urgently recommended in the Message of 22d December, 1836, you are left to judge, and I leave you to judge with what face the United States can boast of their amicable treatment of Mexico, or of the fair dealing of their Government with her.

But the great work, the slave-breeding conspiracy against the freedom of the North, of which nullification and the forty bale theory formed one division, Texas and the dismemberment of Mexico another, was but half consummated by the closing act of Jackson's administration. The controlling object of this whole system of policy was, and yet is, to obtain a nursery of slave holding States, to break down forever the ascendant power of the free States, and to fortify, beyond all possibility of reversal, the institution of slavery. The day after the appointment of the Charge d'Affaires to the Republic of Texas, Mr. Van Buren, a Northern man with Southern principles, assumed the functions of President of the United States. The recognition of the independence of Texas availed nothing, and was much worse than nothing, without her annexation to the United States.

Mr. Van Buren's administration commenced with a call for a special session of Congress, and on the 3d of October, 1837, he communicated, in answer to a resolution of inquiry from the House of Representatives, a report from the Secretary of State, John Forsyth, a correspondence with Memucan Hunt, Envoy Extraordinary and Minister Plenipotentiary of the Republic of Texas, containing the formal proposition for her annexation to the United States, and the answer of Mr. Van Buren, declining it.

But the slave breeding passion for the annexation was not to be so disconcerted. At the ensuing session of Congress numerous petitions and memorials for and against the annexation, were presented to the House, and with resolutions of the State Legislatures of Alabama, Tennessee and Mississippi, in favor of the annexation, and of Vermont, Rhode Island, Massachusetts, Ohio, and Michigan, against it, were referred to the Committee of Foreign Affairs, who, without ever taking them into consideration, towards the close of the session asked to be discharged from the consideration of them all. It was on this report that the debate arose, in which I exposed the whole system of duplicity and perfidy towards Mexico, which had marked the Jackson administration from its commencement to its close.

It silenced the clamors for the annexation of Texas to this Union for three years, till the catastrophe of the Van Buren administration. The people of the free States were lulled into the belief that the whole project was abandoned, and that they should hear no more of slave trade cravings for the annexation of Texas. Had Harrison lived they would have heard no more of them to this day—but no sooner was John Tyler installed in the President's house, than Nullification and Texas, and war with Mexico rose again upon the surface, with eye steadily fixed upon the polar star of Southern slave-dealing supremacy in the government of the Union.

Very shortly after the accession of Mr. Tyler, in the summer of 1841, after three years interval, and numerous givings out of the aversion of the Texans to being annexed to the United States, a military expedition was fitted out by the then President of Texas, against the Mexican city of Santa Fe, at the head of the Rio Bravo. They marched in battle array, and although, until it met with disaster, scarcely known or noticed in this part of the country, it was so well known in those south-western States bordering on Texas, that this invasion was carried on chiefly by citizens of these United States, even now professing to hold with Mexico the friendly intercourse of peace. Had the expedition been against the city of Philadelphia—and General Jackson had been called out in command of a militia corps to intercept them, and on intercepting them, had found among them one or two hundred of British subjects, fresh from the Bahama Islands, his disposal of Arbuthnot and Ambrister furnishes conclusive evidence of what *he* would have deemed the rightful exercise of the laws of war with regard to them. *He* would have given them the formality of a court martial, and then have hung them upon the first tree, as warning to British subjects not to meddle with the quarrels of their neighbors. The Texan expedition was ill starred—instead of taking and rioting upon the beauty and booty of Santa Fe, they were all captured themselves, without even the glory of putting a price upon their lives. They surrendered without firing a gun. The administration at Washington had endured all this open barefaced violation of neutrality without moving a finger or uttering a word to control it; but the instant the expedition was prostrated in ignominious defeat, was roused by messenger after messenger, and convulsed with agitation, calling for the vindictive arm of the nation, to shed the blood of war to rescue these ruffians from the captivity into which they had fallen, or to bully the Mexican Government into the free release of all this lawless banditti. They undertook it and they succeeded. Santa Anna, whom we are all accustomed to revile as a monster of human cruelty, caused them all to be released, with a gentle warning to them and their countrymen, not to be caught again in repeating the same experiment; while the present President of Texas, the Tennessean victor of San Jacinto, issues proclamations and Letters of Instructions, and grants promises of lands to his recruiting officers at New Orleans, and raises regiments of Uncle Sam's children for another invasion of Mexico; and while the guardian of this nation's neutrality slumbers in the palace at Washington, and the spirit and argumentation of diplomacy are circulated to demonstrate before the public opinion of civilized men, the fairness, and equity, and generosity of *all* our political intercourse with the Republic of Mexico.

My countrymen, rely upon it, there is now, even now, in the political relations of your administration at Washington, with Mexico and with Texas, treachery to your interests of the deepest dye. I mean not to implicate in this censure the Secretary of State, whose official correspondence on this subject is marked with his usual

ability, and who having a thesis to maintain, has maintained it as a duty to be discharged.

That the Santa Fe expedition originated and was concerted within these States there can be no doubt, probably in the State of Tennessee. That it was known, countenanced and encouraged at the Presidential house, is more than suspected. For while it was on foot, and before it was known, frequent hints were given in public journals, moved by Executive impulses, that, at the ensuing winter session, the annexation of Texas was to be introduced by a citizen of the highest distinction. The Legislatures of Tennessee, Alabama, Mississippi, Louisiana, South Carolina, and even Kentucky, actually brought the Pandora's box again before Congress, and the total failure of the Santa Fe expedition, with the early discomfiture of the war faction in Congress, discarded again for the moment, and only for the moment, the project to which Southern nullification clings with the grasp of death.

The secret participation of your administration at Washington in this incursion of banditti from Texas against Santa Fe, and that it was organized for the express purpose of provoking a war between the United States and Mexico, is evidenced not only by the unjustifiable tone of menace assumed by this administration, in demanding the release of the citizens of the United States, taken prisoners in arms upon this marauding expedition—nor yet only by the enormously extravagant increase, both of the Army and Navy, urgently recommended to Congress in the reports of both the Secretaries of War and of the Navy, at the commencement of the session, contemporaneous with the President's wailings at the bankrupt condition of the Treasury, and his ludicrous recommendations of economy and retrenchment of the public expenditures; but I will now tell you of another legislative exploit, achieved in the last half hour of the late session of Congress, to make you, my constituents, pay, with your money, for this blustering rescue of American citizens from the punishment which they had incurred for warring against Mexico under the banners of Texas.

Towards the close of the late session, a Treaty had been concluded with the Wyandot tribe of Indians, which required an appropriation of money to be carried into execution. A bill for that purpose was introduced into the Senate; and what think you was tacked to it while on its passage through that body.

First, a sum of one hundred thousand dollars to defray the expenses of the Judicial Courts of the United States, in the year.

At a preceding period of the session, Congress, in a paroxysm of retrenchment and reform, had curtailed this sum of one hundred thousand dollars from the sum proposed by the Committee of Ways and Means, for the expenses of the Judicial Courts, in the general, civil and diplomatic appropriation bill. When the motion for retrenching this hundred thousand dollars was made, the Chairman of the Committee of Ways and Means, Millard Fillmore, one of the ablest, most faithful, and fairest minded men with whom it has been my fortune to serve in public life, remonstrated against the reduc-

tion, and urged the indispensable necessity of the appropriation to defray the unavoidable expenses of the Courts in the administration of justice; but he spoke in vain. The cry for retrenchment drowned his voice, and the appropriation was reduced. But now, just at the close of the session, it was found, that unless the appropriation was restored, the Judicial Courts could not be held, and justice herself would be at a stand. So the notable device was resorted to in the Senate of inserting this *retrenched* hundred thousand dollars, as an amendment to the bill for defraying the expenses of the Wyandot Treaty—and it was so introduced, was adopted by both Houses of Congress, approved and signed by the President of the United States, and is now the law of the land:

You remember, fellow citizens, that the main stay of President Tyler's reasons for his veto of the first Tariff Bill was, that it connected together *two different subjects*; and you have not forgotten the display of argument by which he proved how unconstitutional and how inadmissible it was that Congress should send to him, for his approval and signature, a bill embracing two different subjects. Can you discover any congruity, not to say any identity of subject, between appropriations to defray the expenses of a Treaty with the Wyandot Indians, and for defraying the expenses of the Judicial Courts? Yet President Tyler approved and signed the bill, without even depositing in the Department of State his reasons against it. But the second *tack* to the Wyandot Treaty appropriation bill was a sum of six thousand dollars, if so much should be needed, to defray the expenses of the Legation of the United States in Mexico, in maintaining, supporting, and sending home, the citizens of the United States, taken prisoners in aggressive war against Mexico, under Texan colors, in a *trading* expedition to take possession of Santa Fe. Impartial neutrality! magnanimous justice to Mexico!

This appropriation of six thousand dollars, lawless in every sense of the word, of your money, my constituents, yes, of the hard earnings of your industry by the sweat of your brows, was introduced into the Wyandot Treaty bill, by a Senator from South Carolina, one of the field marshals of nullification from its first outbreak; one of the sturdiest champions for the exclusion of your interests from the National protection, and one of the most eloquent of the land-robbing, debt-paying Anglo-Saxon race, scorching with thirst for the annexation of Texas to this Union, to rivet forever the chains of slavery, and to bind them on you and your posterity forever. It was introduced without law, without estimates from any department, without color of claim from any pretence of authority for the expenditure. Yet the Senate adopted it in silent acquiescence. The bill was sent to the House on the day before the close of the session. The House at once struck this item of appropriation out of the Bill, and the Senate concurred in the exclusion. You think your money and that of your country is rescued from the hand of the spoiler? Not at all. In the last hour of the session the same Senator from South Carolina offers a joint resolution of the two Houses, making the same appropriation of six thousand dollars, which, but the day

before, had been excluded from the Wyandot Treaty Bill. It slipped through the Senate in silence and came to the House. The Constitution of the United States expressly forbids the drawing of any money from the Treasury, unless upon appropriations made by LAW—and it prescribes the enactment of *Laws*, exclusively by *Bill*, and not by joint resolution. Never before had money been drawn from the Treasury by joint resolution, except it were money previously authorized to be drawn *by law*. The distinction had been scrupulously adhered to from the first organization of the Government, until that day. When the resolution came to the House they were in impatient confusion, waiting for the moment of adjournment. The instant the resolution was read, the previous question was moved on its passing to a second reading. I instantly objected that no money could be drawn from the Treasury, on such a resolution; without any attempt to answer me, a bare majority of a doubtful quorum sustained the previous question, and passed the resolution to a second reading. There is a rule of the House, that every appropriation of money shall be first considered in committee of the whole House. I appealed to that rule, and was told it was too late. The previous question was again moved and sustained, and again at the third reading; the resolution was thus driven through, and that same hour was approved and signed by the President, and the only barrier in the forms of the Constitution against the most reckless and profligate squandering of the people's money is, I fear, broken down forever. A more fatally contagious example of embezzlement of the public moneys could not, indeed, have been given. I remonstrated, after the close of the session, against the drawing of any money from the Treasury under this resolution, at both the Departments of State and of the Treasury; with no better success than I had had in the House.

Fellow citizens,—You can have but a faint and imperfect conception of the character of this transaction, without recollecting the *object* of this prostration of constitution, laws, rules for conducting business in the Houses of Congress, and every bolt and bar protective of your public Treasury. It was the dismemberment of Mexico, and the annexation of an immense portion of its territory to the slave representation of this Union. Ask yourselves if the internal evidence is not irresistible, that the expedition against Sante Fe was planned within *your* boundaries, and committed to the execution of your citizens, under the shelter of Texan banners and commissions.

Let me advert again to the important disclosure in the letter of Mr. Appleton to his constituents, from which I have taken the liberty of reading to you an extract. Nullification was generated in the hot-bed of slavery. Its drew its first breath in the land, where the meaning of the word democracy is that a majority of the people are the goods and chattels of the minority. That more than one half of the people, are not men, women and children, but things to be treated by their owners, not exactly like dogs and horses, but like tables, chairs and joint-stools. That they are not even fixtures to the soil, as in countries where servitude is divested of its most hideous fea-

tures; not even beings in the mitigated degradation from humanity of beasts, or birds, or creeping things; but destitute not only of the sensibilities of our own race of men, but of the sensations of all animated nature. That is the native land of nullification, and it is a theory of Constitutional law, worthy of its origin. *Democracy*, pure democracy, has at least its foundation in a generous theory of human rights. It is founded on the natural equality of mankind. It is the corner stone of the Christian religion. It is the first *element* of all lawful government upon earth. Democracy is self-government of the community, by the conjoint will of the majority of numbers. What communion, what affinity can there be, between that principle and nullification, which is the despotism of a corporation,—unlimited, unrestrained, *sovereign* power? Never, never was amalgamation so preposterous and absurd, as that of nullification and democracy.

I need not tell you, fellow citizens, that nullification was no part of the political system of Andrew Jackson. It had been born and bred in South Carolina, during the term of his immediate predecessor; reared as a giant to demolish the protective and internal improvement policy, introduced, fostered and promoted by none more than South Carolina herself, but which by experience was found to favor more the prosperity of free than of slave labor. Jackson had entered upon his office of chief magistrate, the friend of a judicious tariff—of a national bank—of internal improvement, and of free domestic industry; but with the dream of dismembering Mexico, and of restoring slavery to Texas, and of surrounding the South with a girdle of slave States, to eternize the blessings of the peculiar institutions, and spread them like a garment of praise over the whole North American Union. Nullification was no part of his system, but he turned it to good account for the promotion of his own purposes. Nullification was a system to make a spurious, unlimited *State* sovereignty, ride over the authority of the people of the United States, who made their Constitutions, because they had conferred on the general government only limited powers. But *sovereignty* was unlimited. The States were *sovereign*. Their power was unlimited, and therefore paramount to that of the Federal government. This was the ingenuity of which the forty bale theory was a collateral emanation. But the first batteries of nullification were opened against the government of the Union itself, and Jackson was at its head. Nullification made a demonstration of actual rebellion. It assembled a Convention of the people of South Carolina, which by *sovereign* State right, *nullified* a revenue law of the Union. Jackson issued his proclamation, declaring his determination to execute the law. The faithful, believing, confiding North, even our own Faneuil Hall, pledged him their support—Congress enacted a law giving him ample powers to reduce the rebels to submission. At that same moment, the honest nullifier, by a compromise of slavery, against the free labor of the North, succeeded in saving himself from the penalties of rebellion, in withdrawing from the absurdities of the forty bale theory, and in establishing the supremacy of the South at the Capital, and at the President's house, for at least nine years.

Jackson, holding in his hand the rod of chastisement, in the force bill, instead of using it, accepted the compromise, and combining it with the projected dismemberment of Mexico, and acquisition of Texas, with the extirpation of the Indians from the Southern States, and with the sacrifice of all the public lands to private adventurers, and to the States in which the lands are situated—engrafted upon these principles the extinguishment of all internal improvement by the authority of the national government; the suppression of all public credit, because there was no public debt; uncompromising hostility to a national bank, for the absurdity of an exclusive hard money currency; and the reduction of the duties on imports to an imaginary scale of public economy, formed a system of administration totally adverse to that founded by Washington, at the first organization of the government, and continued with slight modifications, rather of theory than of practice, until the advent of Jackson to the Presidency. His system was unfolded at great length in his annual message to Congress, of December, 1832, contrasting so diametrically with his proclamation of almost the same date, against South Carolina nullification, that on reading them, men stared at each other, and inquired which was the bane, and which the antidote. The message was in truth the prelude to the compromise between nullification, State supremacy, and a horizontal tariff, at the expense of the free labor of the North. The Jackson system was at the time reviewed and controverted in the report of the minority of the Committee of Manufactures, in February, 1833; but it was established by the tariff compromise of that same session, working, with all the subsequent arbitrary and oppressive measures of that and the next succeeding administration, a gradual but steadily spreading decline and fall of the public credit, of the national revenue, of the general welfare, till they were found, at the Presidential election of 1840, one universal ruin. The spirit of the people throughout the Union had, during the same time, been gradually and slowly roused to a pitch of almost equally universal indignation; a succession of enormous Executive usurpations had kindled a flame which could not be suppressed—a party was formed on the express principle of resistance to Executive usurpations, and took the name of *Whigs*, as most significant of their common impulse to check and control these usurpations, and to place in the Executive chair a chief who would revert to the political system and principles of Washington.

The total abandonment by President Jackson, of all internal improvement by the authority of Congress, and of all national protection to domestic industry, was a part of the same system, which, in the message of December, 1832, openly recommended to give away gratuitously all the public lands, and renounce forever all idea of raising any revenue from them. This was nullification in its most odious feature. The public lands are the richest inheritance ever bestowed by a bountiful Creator upon any national community. All the mines of gold, silver, and precious stones on the face or in the bowels of the globe, are in value compared to them but the dust of the balance. Ages upon ages of continual progressive improvement,



physical, moral, political, in the condition of the whole people of this Union, were stored up in the possession and disposal of those lands. The root of the doctrine of nullification is, that if the internal improvement of the country should be left to the legislative management of the National Government, and the proceeds of the sales of the public lands should be applied as a perpetual and self-accumulating fund for that purpose, the blessings unceasingly showered upon the people by this process, would so grapple the affections of the people to the national authority, that it would, in process of time, overshadow that of the State governments, and settle the preponderancy of power in the free States—and then, the undying worm of conscience twinges with terror for the fate of the *peculiar institutions*. Slavery stands aghast at the prospective promotion of the general welfare, and flies to nullification for defence against the energies of freedom and the inalienable rights of man.

The abdication by Congress, under the influence of this system of policy, of all power of appropriating money to objects of internal improvement, cast back upon the Legislatures of the several States the burdensome duties of that all pervading interest and passion of the people. For most happily, the passion as well as the interest of the free people of this Union for their own improvement, is so deeply seated in their hearts, that no sophistication of slavery can extinguish or suppress it. The Legislatures of the several States assumed, each within their own borders, the exercise of the beneficent power, repudiated by the slavery-palsied arm of the nation, and commenced, on a too gigantic scale, many stupendous works of internal improvement at home. They involved themselves in debt beyond their means of meeting their immediate engagements. They relied upon their right to the proceeds of the sales of the public lands, to relieve them from the oppressive burdens of those engagements, and Congress, while yielding to the newly proclaimed policy of President Jackson, by suspending the exercise of their own power of appropriating money for works of internal improvements, passed on the 2d of March, 1833, an act for distributing the proceeds of the public lands among the States. President Jackson neither approved and signed it, nor returned it to the House with his objections. He put it in his pocket, and as the Congress itself expired on the next day, it never became a law; so that after crippling and disabling the General Government of the power to promote the improvement of the country, the Jackson policy wrested from the separate States the property of their people, and the means of prosecuting works of public improvement for themselves.

Thus you perceive, my constituents and friends, that this robbery of the public lands, this deadly hostility to all internal improvement and to a protective tariff, are all parts of one system of policy, of which nullification is the seminal principle, and would to God I could say to you, as my friend, Mr. Appleton, says of the forty bale theory, one of its parasite suckers, that it has passed away—but I can give you no such cheering encouragement—Nullification is seated in the

chair of State. It has dictated six vetoes in the space of eighteen months, and one hermaphrodite approval. It has signed only upon compulsion the tariff bill, mutilated by the suppression of the section to distribute the proceeds of the sales of the public lands. But mutilated as it is, you will see by the following article in the Atlas of this morning, that it is threatened with nullification.

From the Boston Atlas of 17th September, 1842.

**TREASON THREATENED.**—The Columbian South Carolinian, (Mr Calhoun's organ,) berates Mr. Tyler roundly for signing the Tariff Bill—which it denounces as “the most flagrantly protective, fraudulent, perfidious, oppressive, unjust, and unconstitutional Tariff Bill that has ever been passed.” “If it be not repealed, (it says,) when the Democrats come into power, it must be *nullified*; and nothing prevents us from urging an immediate resort to that ‘rightful remedy,’ but a disinclination to use it in any but extreme cases, and a hope, however faint, that the Democrats will repeal it, when they come into power; if, indeed, this very bill does not keep them out, and it will, undoubtedly, do much towards that end. That Mr. Calhoun's hope, even in the event of the Democrats obtaining a majority, is not more sanguine than ours, will be seen by the desponding character of his remarks on its passage.”

Fellow Citizens—On closing my relations of personal communication with you as your Representative in Congress, it may be proper for me to advert to the position which I have occupied in that body, and to the principles which I have observed in that capacity.

There are two different party divisions always operating in the House of Representatives of the United States—one sectional, North and South—or in other words, slave and free; the other political—both sides of which have been known at different times by different names, but are now usually denominated Whigs and Democrats. The Southern or Slave party, outnumbered by the free, are cemented together by a common, intense interest of property to the amount of \$1,200,000,000 in human beings, the very existence of which is neither allowed nor tolerated in the North. It is the opinion of many theoretical reasoners on the subject of Government, that whatever may be its form, the ruling power of every nation is its property. Mr. Van Buren in one of his messages to Congress, gravely pointed out to them the anti-republican tendencies of associated wealth. Reflect now upon the tendencies of twelve hundred millions of dollars of associated wealth, directly represented in your National Legislature by one hundred members, together with one hundred and forty members, representing persons only—freemen, but not chattels. Reflect also that this twelve hundred millions of dollars of property is peculiar in its character, and comes under a classification once denominated by a Governor of Virginia *property acquired by crime*—That it sits uneasy upon the conscience of its owner—That in the purification of human virtue and the progress of the Christian religion, it has become, and is daily becoming more and more odious—That Washington and Jefferson, themselves slaveholders, living and dying, bore

testimony against it—That it was the dying REMORSE of John Randolph—That it is renounced and abjured by the supreme pontiff of the Roman Church: abolished with execration by the Mahometan despot of Tunis; shaken to its foundations by the imperial autocrat of all the Russias, and the absolute monarch of Austria—all, all bearing reluctant and extorted testimony to the self-evident truth, that by the laws of Nature, and of Nature's God, man cannot be the property of man. Recollect that the first cry of human feeling against this unhallowed outrage upon human rights came from ourselves, from the Quakers of Pennsylvania—That it passed from us to England—from England to France, and spread over the civilized world—That after struggling for nearly a century against the most sordid interests and most furious passions of man, it made its way at length into the Parliament, and ascended the throne of the British Isles. The slave trade was made piracy, first by the Congress of the United States, and then by the Parliament of Great Britain. But the curse fastened by the progress of Christian charity, and of human rights, upon the African slave trade, could not rest there. If the African slave trade was piracy, the coasting American slave trade could not be innocent—nor could its aggravated turpitude be denied. In the sight of the same God who abhors the iniquity of the African slave trade, neither the American Slave trade, nor slavery itself, can be held guiltless. From the suppression of the African slave trade, therefore, the British Parliament, impelled by the irresistible influence of the British People, proceeded to point the battery of its power against slavery itself. At the expense of one hundred millions of dollars, it abolished slavery, and emancipated all the slaves in the British transatlantic colonies, and the Government entered upon a system of negotiation with all the powers of the world, for the ultimate extinction of slavery throughout the globe.

The utter and unqualified inconsistency of slavery, in any of its forms, with the principles of the North American Revolution and the declaration of our Independence, had so forcibly struck the Southern champions of our rights, that the abolition of slavery and the emancipation of slaves was a darling project of Thomas Jefferson, from his first entrance into public life, to the last years of his existence. But the associated wealth of the slaveholders outweighed the principles of the Revolution, and by the Constitution of the U. States a compromise was established between slavery and freedom. The extent of the sacrifice of principle made by the North in this compromise, can be estimated only by its practical effects. The principle is, that the House of Representatives of the United States is a representation only of the persons and freedom of the North, and of the persons, property and slavery of the South. Its practical operation has been to fix the balance of power in the House, and in every department of the Government in the hands of the minority of numbers. For practical results, look to the present composition of your Government in all its departments. The President of the United States—the President of the Senate—the Speaker of the House, are all slaveholders. The Chief Justice, and four other out

of the nine Judges of the Supreme Court of the United States, are slaveholders. The Commander-in-Chief of your army, and the General next in command, are slaveholders. A vast majority of all the officers of your navy, from the highest to the lowest, are slaveholders. Of six heads of the Executive Departments, three are slaveholders; securing thus, with the President, a majority in all Cabinet consultations and Executive councils. From the commencement of this century, upwards of forty years, the office of Chief Justice has been always held by slaveholders; and when upon the death of Judge Marshall, the two senior Justices upon the bench were citizens of the free States, and unsurpassed in eminence of reputation, both for learning in the law and for spotless integrity, they were both overlooked and overslaughed by a slaveholder, far inferior to either of them in reputation as a lawyer, and chiefly eminent for his obsequious servility to the usurpations of Andrew Jackson, for which this unjust elevation to the Supreme Judicial bench was the reward.

As to the House itself, if an Article of the Constitution had prescribed, or a standing rule of the House had required, that no other than a slaveholder should ever be its Speaker, the regulation could not be more rigorously observed than it is by the compact movements of the slave representation in the House. Of the last six Speakers of the House, including the present, every one has been a slaveholder. It is so much a matter of course to see such a person in the Chair, that if a Northern man but thinks of aspiring to the Chair, he is only made a laughing-stock for the House. With such consequences staring us in the face, what are we to think when we are told that the Government of the United States is a democracy of numbers; a Government by a majority of the People? Do you not see that the one hundred Representatives of persons, property and slavery, marching in solid phalanx upon every question of interest to their constituents, will always outnumber the one hundred and forty Representatives only of persons and freedom, scattered, as their votes always will be, by conflicting interests, prejudices and passions? But this is not all. The second party division in the House to which I have alluded is political, and known at present by the names of Whigs and Democrats, or Loco Focos. The latter are remarkable for an exquisite tenderness of affection for *the people*, and especially for the poor, provided their skins are white, and against the rich. But it is no less remarkable that the princely slaveholders of the South are among the most thoroughgoing of the Democrats; and their alliance with the Northern Democracy is one of the cardinal points of their policy. Mr. Jefferson delivered it to them as the keystone to the arch of Southern statesmanship, and Mr. Clement C. Clay, in impressing it upon the Legislature of Alabama, gives them an illustration of its wisdom in the fact, that on the nomination of Edward Everett as Minister to Great Britain, *all* the Democratic Senators from the North voted against him.

With the aid of this policy, Thomas Jefferson, by an open and avowed violation of the Constitution which he had sworn to support, effected, by an act of Congress alone, the annexation of Louisiana

to this Union; and by virtue of that precedent, Florida was afterwards annexed in like manner. This was an enormous accession of strength to the Southern or slaveholding section—but it was not enough. By the dismemberment of Mexico, Texas and a territory of five hundred thousand square miles, might be annexed to the Union. Mexico had abolished slavery, but Texas had restored it and made it irrevocable. Ten States, with each a population exceeding that of Virginia, might be carved out of this territory, and place on immovable foundations the supremacy and perpetuity of the slaveholding power.

Are you incredulous of the possibility that the free representation of the North should be wheedled into the support of a system, so diametrically opposite to the first elements of true Democracy, and to the clearest interests of their own section? Mr. Appleton has apprised you of the charm by which New Hampshire has been converted into an anti-tariff State; and the same spell which has been of potency sufficient to fasten the Atherton gag upon the sacred right of petition, will find her equally ready to sacrifice all the inalienable rights of man to the Moloch of slavery, and to fasten, from the plunder of Mexico, ten slave-spotted States upon the Union, to settle for all time, and beyond the possibility of redemption, the preponderancy of Southern slavery over the democracy and the freedom of the North.

I entered the national House of Representatives in December, 1831, with an assurance to the constituents by whom I was elected, that I should hold myself bound in allegiance to no party, whether sectional or political. I thought this a duty imposed upon me by my peculiar position. I had spent the greatest portion of my life in the service of the whole nation, and had been honored with their highest trust. My duty of fidelity, of affection, and of gratitude to the whole, was not merely inseparable from, but identical with, that which was due from me to my own native Commonwealth. The internal conflict between slavery and freedom, had been and still was scarcely perceptible in the national councils. The Missouri compromise had laid it asleep, it was hoped, forever. The development of the moral principle which pronounces slavery a *crime* of man against his brother man, had not yet reached the conscience of all Christendom. The leading monarchy of Europe, earnestly and zealously occupied in rallying the physical, moral and intellectual energies of civilized man against the African slave trade, had scarcely yet discovered that the African slave trade was but an instrument, and in truth a mitigation, of the great irremissible wrong of slavery. Her final policy, the extinction of slavery throughout the earth, was not yet disclosed. The Jackson project of dismembering Mexico for the acquisition of Texas, already organized and in full operation, was yet profoundly secret. I entered Congress without one sentiment of discrimination between the interests of the North and South, and my first act as a member of the House, was, on presenting fifteen petitions from *Pennsylvania* for the abolition of slavery in the District, of Columbia, to declare, while moving their reference to the Committee of the District, that I was not prepared to support the

measure myself, and should not support it. I was, therefore, not then a *sectional* partizan, and never have been to this day.

In the *political* division of parties, my opinions and principles were all in favor of the Executive Administration of the National Government, then formidably assailed by South Carolina nullification, under the shield and with the artillery of State sovereignty. President Jackson had placed himself out of the reach of all friendly personal intercourse with me; but through the whole term of his Administration I gave to it my cordial support for every measure which I believed constitutional, and useful to the interest of the country. He had indeed pronounced his veto upon the Maysville Road Bill, but he had not proclaimed his war of extermination against the National Bank, nor against internal improvements, nor against the protection of our manufactures, nor against the distribution of the proceeds of the public lands. It was not till his message of December, 1832, that he disclosed the extent of his most pernicious political system, repudiating all the maxims of Washington and his policy, the cardinal points of which had, through all the previous changes of administration, stood unshaken till that day. In the preceding summer of 1832, I had, in perfect concert with his Administration—as Chairman of the Committee of Manufactures, carried through the tariff act of that year, which, if it had been suffered to continue to this day, would have provided all the revenue necessary for the expenditures of the Government, without excess or deficiency, and without a dollar of debt now to be paid. In his controversy with France, while resisting his grasp at the war-declaring power of Congress, I sustained him in his peremptory demand for the faithful execution of a ratified treaty. In his controversy with South Carolina, I voted to furnish him the means of sustaining his proclamation, and suppressing the threatened insurrection under the banners of nullification. But in his furious and vindictive war against the National Bank—in his usurpation of the control of the Treasury—in his perfidious course of policy towards the Indian tribes, and Mexico—in his pocket vetoes, and judicial misconstruction of a law approved and signed by himself—in his political proscriptions, his Kitchen Cabinet consultations, his overbearing and humiliating degradation of his official Cabinet Ministers, and his insulting imputations upon the members of Congress, including his own partizans,—I opposed him so long as he held the reins of power—seldom, indeed, with success, but at least in averting a war with Mexico, and defeating for the time the transfer of the balance of power from the freedom to the slavery of the Union.

It was during the Jackson Administration that the *sectional* division of parties became preponderant, in and out of Congress, by the collision between slavery and freedom, which has prostrated, for the time, and suspended, in defiance of the constitution, the sacred right of petition. The existence of slavery in the District of Columbia had always been a source of mortification and disgust to the people of the free States. As the general detestation of the African slave trade was spreading over Europe, it came back by reflection

to the country where it had originated. Petitions, memorials and remonstrances against slavery and the slave trade in the District, multiplied not only by the natural sympathies of humanity, but by a numerous host of anti-slavery societies, which started up almost at once throughout all the free States. The great convenience to the South of the nullification doctrine is, that it accommodates itself to every exercise of power by Congress, which interferes directly or indirectly with the black code. When the abolition petitions began to multiply, some forty bale theorist made the discovery that Congress, with express power to exercise exclusive legislation in all cases whatever over the District, had yet no power to abolish slavery; and having no such power, the people had no right to petition Congress for any thing which Congress had no power to grant; and so conclusive was this logic south of Mason and Dixon's line, that when Mr. Van Buren, as a Northern man with Southern principles, became a candidate for the succession to the Presidency, he was specially catechised for his opinion upon this point, and he answered the inquiry by a compromise. He thought it not quite safe to deny the power of Congress, but he held that the exercise of the power was as much interdicted as if it did not exist—and he faithfully promised a veto, if, while he should be President, majorities of both Houses of Congress should pass an abolition act. On the faith of this and other acclimated pledges, Mr. Van Buren was elected by Southern votes; and with the auxiliary force of the Northern Democracy, the Southern sectional policy became the supreme law of the land. The right of petition was suppressed—internal improvement was arrested—the manufacturing interest was outlawed—the public lands were devoted to devastation and waste—and the States stimulated by floods of spurious currency to incur burdensome debts for their own improvements, are stripped of the funds from which they had a right to expect the means of making their payments, and are driven to the desperate resource of repudiation.

It is then the *sectional* division of parties, or in other words, the conflict between freedom and slavery, which constitutes the axle round which the administration of your National Government revolves. All its measures of foreign and domestic policy, are but radiations from that centre. John Tyler is a Virginian slaveholder. All the affections of his soul are bound up in the system of supporting, spreading, and perpetuating the peculiar institutions of the South. The *political* division of parties with him, and with all Southern statesmen of his stamp, is a mere instrument of power, to purchase auxiliary support to the cause of slavery, even from the freemen of the North. Democracy! Why upon what foundation can Democracy find a foothold to

stand, but upon the rights of man ; upon the self-evident truths of the Declaration of Independence ? Democracy and Slavery ! The greatest good of the greatest number—and the greatest number the *property* of the smallest ! A government of majorities, and a majority the chattels of the minority ! Is not the brand of *double-dealer* stamped on the forehead of every democratic slaveholder ? Are not fraud and hypocrisy the religion of the man who calls himself a democrat, and holds his fellow-man in bondage ?

Yet so it is—that John Tyler who stole into the camp of the Whigs in 1840, in their triumphant struggle to put down the standard of the Northern man with Southern principles, under the colors of retrenchment, reform, and Whig resistance to Executive usurpations, has crept up to the summit of power, and there proclaims himself a democrat dyed in the wool—claims to be an *independent*, co-ordinate department of the *legislative* power—declares in so many words that Congress can enact no law without his sanction, stigmatizes the leading members of Congress, of the party by which he was chosen as a coadjutor of Harrison, to achieve the great and glorious work of reform, as *mousing politicians*—sets all the trumpets of the press, paid by his dispensation of patronage with the public money, and all the hungry and unprincipled office-hunters throughout the Union, to *railing* against *Congress*, the real legislative power, for failing to restore the public prosperity, while he defeats by his *veto*s almost every salutary measure devised and matured by them, and believed by them to be indispensable for the purpose—turns out of the Executive offices under his control, honest and honorable men, true republicans and ardent patriots, like Jonathan Roberts, and foists into their places, sycophants and time-servers—levies money upon the people, upon authority so questionable, that his own Secretary of the Treasury believes it to be without and against law ; and to crown the whole system of misrule, approves and signs an act of Congress, and deposits in the Department of State, an argument to nullify the most important, and the most wholesome of its provisions.

Fellow Citizens, it was this glaring act of double-dealing, that stamped the character of the man in my estimation, in letters never to be effaced. That duplicity was his unradicable vice, I had long had reason to suspect, but was extremely reluctant to believe. Long before he had been thought of as a candidate for the office of Vice President of the United States, I had read a letter from the late Henry Lee to him, charging him with that pollution of the heart in other transactions of his life, upon testimony which it was not easy to withstand. I had witnessed his wavering, inconsistent, and yet obstinate conduct throughout the whole of his proceedings with his first cabinet, until its dissolu-



tion—had compared his self-contradictory reasons for his first and second bank vetoes, and had noticed the direct issues upon his veracity, made by the seceding members of the Harrison cabinet. I knew not all indeed of the mass of irrefragable evidence on that point, which has since been disclosed, but it was already exposed in such burning light, that I could barely keep with him upon terms of such personal civility, as may be observed with political adversaries, whose personal integrity is unimpeached. The approval of the apportionment bill, with the caveat deposited in the Department of State against far the most important section contained in it, was, in my opinion a fraud, which no man of moral honesty could have committed; which no sophistry could disguise, and no ingenuity could palliate. I could have no further voluntary friendly personal intercourse with its author, and I deemed it my indispensable duty to expose its true character to the House and to the country.

I moved a resolution of the House, calling on the Department of State for the paper itself; Mr. Tyler having merely informed the House that he had deposited there his reasons for signing the bill, without stating what they were. The House, invariably treating him with deference, amended my resolution by calling for a copy instead of the original; when the paper came, I moved its reference to a Select Committee, which reported a strong reprobation of Mr. Tyler's proceeding in the case, and a resolution protesting against it as a precedent. This report of the Committee could be called up for consideration only by a majority of two thirds of the members present, and voting. I moved several times that it should be taken up, and carried a majority vote, but not of two thirds. Mr. Tyler was spared the mortification of a vote of the House, adopting the report and the protest, because his friends in the House objected to its being considered, and the objection could only be overcome by the vote of two thirds.

The reasons for approving the bill were an argument against the section requiring that the elections for members of the House of Representatives should be by single districts throughout the Union. The effect and intent of the reasons were to stimulate and encourage resistance by nullification against the single districts. The single district is the only way by the Constitution of effecting the provision, requiring *one* representative for every number of the common standard. The meeting of the next Congress will disclose the full extent of the evil of this most mischievous Executive usurpation.

The character of this transaction, symptomatic of a perfidious heart, can only be estimated by analyzing its motives and purposes. The Legislatures of seven of the smaller States of the

Union, to secure to themselves an undue proportion of influence in the popular branch of the National Legislature, had adopted the practice of electing the whole number of members of the House to which their numeric population entitled them, by general ticket, whereby each member was made a Representative of the whole State, and not of the specific number of persons entitled by the Constitution to *one* member. It was in truth a mode of election iniquitous and unjust to all the other States represented by single districts, and equally unjust to the minority of the people in the States so represented themselves. It often happens that the minority of the people of a whole State, consists of the majority in several of its districts. This had been strongly exemplified very recently in the State of Alabama. In the 26th Congress, three out of five members from that State, chosen by single districts, were *Whigs*. The Legislature of the State, for the express purpose of preventing their re-election, enacted a law prescribing the election by general ticket, and the whole five members from Alabama in the 27th Congress are *Loco Focos*; slaveholding Democrats. The result is, not merely that near one half of the people of the State are unrepresented, but that they are misrepresented by persons of opinions and principles directly opposite to their own. This is equally contrary to the principles of popular election, and to the letter of the Constitution. There is another point of view in which its incompatibility with the principles of popular representation is obvious. By the single district system, every voter has one representative and no more. By the single district system, every voter has as many representatives as his State is entitled to send to the House—and if that system should be generally adopted, every voter in the State of New York will have his thirty-four representatives, while the voters in Rhode Island will have only two, and in Delaware only one. The single district section was introduced into the apportionment bill, by a democratic member from the State of South Carolina. It was neither a Whig, nor a sectionally Northern measure—but the slave representation, and the Northern democracy, soon began to look at it with an evil eye. Nullification took the alarm, because it was mandatory to the State Legislatures, and nullification is at the root of Mr. Tyler's whole political system. While the bill was on its passage through Congress, the Legislatures of New Hampshire and Georgia, two of the States abusively represented by general ticket, had hoisted the black flag of nullification against the single district section. They strutted abroad in the flaunting colors of State sovereignty, and proclaimed defiance to the mandatory act of Congress. New Hampshire and Georgia were both *Loco Foco* States; but Mr. Tyler had become marvelously quiescent to their opinions and

policy, and so, to propitiate them, with the same hand approved and signed the bill, and sent to be deposited in the Department of State, this incendiary torch of Constitutional doubts, to cheer up and stimulate the rebellion of State sovereignty, against the truly popular and democratic principle of single district representation.

The two Houses of Congress, perceiving the direct tendency of this instigation, by the Chief Magistrate himself, to insurrection against a law approved and signed by himself, to produce a conflict more dangerous to the peace and harmony of the Union than that of the New Jersey election in the 26th Congress, made a last effort to avert so deplorable a calamity. They introduced into an act regulating the taking of testimony in cases of contested elections, a section providing that no person presenting himself as a member elect of the House of Representatives, should be admitted to a seat, without a certificate of his election conformably to the law prescribing election by single district. This act for the regulating the taking of testimony, &c. was one of the most arduous labors of the session. It had been prepared with the most anxious assiduity, by an able and diligent Committee, had been debated in a conciliatory temper, and with mature deliberation, in both Houses—and was sent to Mr. Tyler on the last day of the session. He neither approved and signed it, nor sent it back with his objections; but, following an example of his illustrious predecessor, in one of his most arbitrary acts, he put it in his pocket. New Hampshire and Georgia may carry into unresisted execution their threats of insurrection against the law. The fortitude of the 28th Congress will be called to meet the shock, and the Chief Magistrate, sworn to support the Constitution and the laws, will be there to head the rebellion against them.

The first, most embittered, and most violent assault upon the administration of Mr. Tyler, was commenced at the meeting of Congress at the special session. It was aimed specifically at the Secretary of State, and its object was to drive him from his place, and from the councils of the President. The close of Mr. Van Buren's administration had been marked by a rancorous and insulting tone assumed in negotiation with Great Britain, a mixture of the bully and the coward, which had made us the laughing stock of the world. Mr. Webster had entered the Department of State, and the tone and temper of negotiation was instantly changed. Instead of sharp and senseless reproach and contumely, candid and friendly discussion were substituted—the soft answer turned away wrath, and the conciliatory spirit infused itself into the diplomacy of both parties. It operated like a charm, but it roused to a pitch of frenzy the opposition of the

defeated democracy of the Five Points—and in resolution upon resolution, and speech upon speech, in both Houses of Congress, the Secretary of State was charged with having sacrificed irredeemably the interests and independence of the country, before the fangs of the British lion. This internal war was kept up through the whole session, even after Captain Tyler's vetoes of the first and second bank bills had smoothed the raven down of Loco Foco Democracy till it smiled. Just before the close of the session, the virulence of this onset upon the Secretary of State was at its height. I had believed his colleagues fully justified in the resignation of their offices—but I had advised him to retain his place till the imminent danger of a war with England should be dispelled; and by a speech in the House, on the case of M'Leod, I expressed my concurrence in the spirit of his correspondence upon that thorny subject, and contributed by my open and avowed approbation, what aid I could to shame his adversaries into silence.

But I did not conceal from him that I could not extend my approbation to Mr. Tyler's administration—my confidence was in Mr. Webster in negotiation with Great Britain, and that confidence reposed not less upon the temper with which I knew he was conducting it, than upon his talents. I could have no confidence in Mr. Tyler. At the very threshold of the session, in the convulsive struggle of the South to restore the gag-rule against the right of petition, his name and *official influence* had been used with fatal success in the debates of the House, to reverse the thrice repeated vote of the majority to suppress the rule. Mr. Tyler had suffered his name and influence to be thus publicly used, without disclaiming his participation in this gross outrage upon the independence of the Representatives of the people. The southern Whig, first mover of that rule, declared in the House, that he had a letter from Mr. Tyler expressing his approbation of it, and complimenting him upon the part he had performed in procuring its adoption. And the corporal of Mr. Tyler's guard declared that *he knew* that the President of the United States was in favor of the rule. I had been a member of the Select Committee which had reported the *second* of the vetoed *bank* bills—and had witnessed, through all its tergiversations, the conduct of Mr. Tyler in the progress and final catastrophe both of that and of its predecessor, the Senate Bill. A thorough conviction that slavery and nullification were the corner stone of Mr. Tyler's politics, and duplicity of his morals, forced itself upon my observation, and I was ready to say, like Shakspeare's Hamlet—

“ It is not, nor it cannot come to good;  
But break my heart; for I must hold my tongue”

At the meeting of the second session of this Congress last December, I perceived in Mr. Tyler's annual message, compared with the reports of the heads of departments, which he made part of it by his urgent recommendations, ample reasons for the most decided disapprobation of his whole system of policy and for the most determined opposition to it. The old and hackneyed general professions of economy and frugality, and retrenchment of the public expenditures, were there in profusion, while on the first page of the annual report of the Secretary of the Treasury, on the finances, were presented estimates exceeding twenty-four millions of dollars, for three items of expenditure for the present year—twelve millions for the War Department—eight for the Navy—and nearly five for the Civil and Diplomatic Department. Was this all? far from it.

In the report of the Major General and Commander-in-Chief of the Army to the Secretary of War, it was stated, as "confidently believed, that sixteen regiments was the *minimum* regular force, now *absolutely required* by the country—not for actual war, but as a standing guard against outbreaks on the part of Indians and hostilities from abroad." There were but fourteen regiments in the service. Additions of one regiment of artillery, and one of infantry, were respectfully suggested—and were warmly recommended, as a *very moderate increase* of the army, by the Secretary. And the same War Minister deemed it *indispensable*, that a chain of posts should be established, extending from the Council Bluffs to the mouth of the Columbia river, on the shores of the Pacific Ocean, which the President recommended particularly to the consideration of Congress, and thought of such importance that it should be carried into effect with as little delay as might be practicable. There was not a report from a subordinate division of the War Department—from the Ordnance—from the Quarter-Master—from the chief military Engineer—from the military Academy—from the topographical Bureau—the Indian Department, with numberless sub-reports—the establishment of a corps of Sappers and Miners—of a National Foundry—of a depot for gunpowder—but respectfully suggested very moderate increase of expenditure, the aggregate of which could not have fallen short of three millions of dollars.

The Report of the Secretary of the Navy was still more magnificent of expenditure. It proposed an entire reorganization of the Department; an amount of estimates for the year "much larger," in the Secretary's own words, "than they had been heretofore;" that a hierarchy of the rank of Admirals should give amplitude to the dignity of our naval commanders: that the numbers of the marine corps should be multiplied at least threefold; that the strength of our Navy should be increased to equal at

least one half that of the greatest naval power in the world; that it was highly desirable that the Gulf of California should be fully explored. The propriety of establishing a post, to which our vessels might resort, bordering on the Pacific Ocean, was respectfully suggested—and in addition to this a naval depot at the Sandwich Islands, would be of very great advantage. As to the state of the Treasury, it would ever be an object of great solicitude with the Secretary to practise a prudent economy in all things. But believing it to be an object of the first importance “to place our navy upon the most efficient establishment, I have not,” says the report, “expected to effect that object at any small cost.” “An efficient navy cannot be built and supported without very great expense; but this expense is more than repaid, even in time of peace, by the services which such a navy can render.”

The estimate for the navy expenses of the year 1842, accompanying this report, was eight millions two hundred and thirteen thousand two hundred and eighty-seven dollars and twenty-three cents—exceeding by two millions four hundred and seventy-seven thousand eight hundred and thirty-six dollars and sixty-four cents, the appropriations of the preceding year.

In the same report which proposed the increase of the Navy, to equal one half of that of Great Britain, it was stated that England had “more than eight times as many vessels of war as the United States, exclusive of her steam ships.” To equal one half of her naval force then, the United States must build three times the whole number of their present vessels of war, besides at least forty steamers, which, at an expense proportioned to the estimates of the present year, would amount to upwards of twenty-four millions of dollars a year additional to it. Thirty millions of dollars a year would thus not suffice to cover the expense to the people of the Navy, thus seriously proposed and zealously urged by the Secretary of the Navy, with the approving smile of President Tyler.

With such professions of rigorous retrenchment and economy upon paper, and such samples of the practical application of them in the annual message and its attendant Executive Reports, what could I forebode of the prudence, discretion, or *political economy* of Mr. Tyler’s administration? What worse than senseless babbling must it be to any man capable of combining together two rational ideas, with a disgraced and insolvent Treasury, to use the words *retrenchment* and *economy*, in the very act of presenting and recommending from the two military Departments of the Government, the *duo fulmina belli*, an elaborate, declamatory *system* of administration, involving a yearly expenditure, in PEACE, of at least fifty millions of dollars?

And this was called a *Peace Establishment* ! But could it escape the observation of any reasonable man that it was a cry of peace ! peace ! where there was no peace. And it was perfectly obvious that the temper, disposition and disguised policy of Mr. Tyler was warlike—war—even with England, not for the Boundary, not for the Caroline—but for the Creole—for the protection of the coasting slave trade—but especially war with Mexico, for the conquest and annexation to the United States of Texas ; and for the spunging of the public debt.

The paragraph in the annual Message relating to Texas was itself sufficiently marked by a longing for the annexation of that Republic to this Union. It said, “the United States cannot but take a deep interest in whatever relates to this young but growing Republic. Settled principally by emigrants from the United States, we have the happiness to know that the great principles of civil liberty are there destined to flourish under wise institutions and wholesome laws ; and that through its example, another evidence is to be afforded of the capacity of popular institutions to advance the prosperity, happiness and permanent glory of the human race. The great truth that Government was made for the people, and not the people for Government, has already been established in the practice and by the example of these United States ; and we can do no other than contemplate its further exemplification by a sister Republic, with the deepest interest.”

Do you think, fellow citizens, that you are hearing Benjamin Franklin, or John Jay, or some other *honest* champion and apostle of the rights of man ? or is this flourish a cruel mockery of language and of truth ? One of the wise institutions of this glorious republic, rooted in her social compact, is *slavery*—hereditary, irredeemable slavery—placed by her Constitution beyond the reach of her Legislature. This is her tribute to the great principles of civil liberty—and I will do her again the justice to say that she is no hypocrite. Her constitution virtually disclaims all pretension to the great principles of civil liberty. It travesties the self-evident truth of the Declaration of Independence, that *all men* are created equal, and endowed by their Creator with certain inalienable rights, into a mere declaration that all men, “when they form a social compact, have equal rights.” The Constitution of Texas, has a blush of decorum, if not of shame.

Yet deeply as Mr. Tyler had fallen in love with the glorious Republic of Texas, he said nothing of the *trading* expedition of certain citizens of the United States against Santa Fe, under the colors of Texas and the commission of President Lamar. This had been organized, armed, equipped and arrayed, by recruits

from the United States, openly enlisted in New Orleans, and other parts of the Southern States, under the eye of Mr. Tyler's administration. In anticipation of its success, resolutions were in preparation from the Legislatures of several of the slaveholding States, renewing the old and rejected demand for the annexation of Texas to the United States; and the then confidential Herald of Mr. Tyler at New York had already, before the failure of the expedition was known, obscurely intimated that the measure was to be consummated at the then ensuing session of Congress. The tone of diplomacy, and speeches in Congress towards Mexico, became harsh, overbearing and insulting. Mr. Waddy Thompson, during his whole career in Congress, the most inveterate enemy of Mexico, and the most zealous and intriguing leader of the gag-rule party against the right of petition, and for the annexation of Texas to the Union, was substituted for Mr. Powhatan Ellis, as Envoy Extraordinary and Minister Plenipotentiary to Mexico. The expedition against Santa Fe made a losing trade, and miserably failed. The pedlar heroes of President Lamar, no sooner became Mexican prisoners of war, than they were re-metamorphosed into citizens of the United States, and the cry of war! war! with miscreant Mexico, for the redemption of American citizens from the clutches of the monster Santa Anna, rung from the Rocky Mountains to the Sabine. For a full week, the daily report whispered around the House of Representatives, was, that a war message against Mexico was coming in from President Tyler; and when the debate on the appropriation for the new Minister to Mexico came up, the corporal of the guard openly urged a war, if Santa Anna should refuse to release the trading invaders from the United States, his prisoners of war, or even if he should pursue his declared purpose of attempting to recover by force the revolted territory of Texas to the Mexican confederation. You will remember the eloquent argument of the corporal in the same speech, to convince the Northern abolitionists that the annexation of Texas was much for the Northern interest, because it would weaken, by scattering the slave domination, and promote the exportation of the staple article of Virginia domestic manufacture—and you doubtless know that such was the devotion of the corporal to his captain, "Tyler too," that he was generally believed in the House to occupy the *thinking* department of the captain's administration.

The encroachments of Mr. Tyler upon the legislative powers vested by the Constitution exclusively in Congress, were not confined to the perpetual exercise of the veto. He repeatedly refused to communicate public documents called for by resolutions of both Houses, and considered by them essential to the



faithful performance of their legislative functions. These refusals were exasperating, because, in every instance, their tendency was to shelter frauds from detection, and to screen public official delinquents from exposure and punishment.

In his double movement on the Apportionment Bill, after a squinting distinction between the duties of a member of Congress and those of a President of the United States, to sacrifice his own constitutional scruples to the judgments of others, Mr. Tyler professes to have given his sanction to the bill in profound deference, to the wishes of the majority in Congress, and to manifest his respect for them by overcoming his own grave constitutional *doubts*, in approving and signing the bill. Precisely at the same time he was writing private letters for publication, vilifying the leading members of Congress as *mousing politicians*, and with one breath disclaiming indignantly the charge against him of dictating to Congress, because he was ready to harmonize with them in every thing in which they will adopt his measures, and boasting that Congress can enact no law without him.

This unblushing claim to legislative power might have been overlooked as a senseless gasconade, but for actions corresponding with it, and for the bold and broad assertion of it as a principle by his devoted partizans in Congress. It was distinctly averred by one of them in the House, that his veto powers were exercised in his *legislative capacity*; and that he was, with the Senate and House of Representatives, *a co-ordinate branch of the Legislature*. The use of these expressions has since been repeatedly denied, but the denial has always been coupled with a re-assertion of the same principle: an expedient perfectly congenial to the "Tyler-too" practice.

It was the all but universal opinion of the lawyers of all parties, that after the 30th of June, the day when the Compromise of 1833 was to expire, there would be, without further legislation by Congress, no lawful authority for the collection of duties by impost, whatever—and the Secretary of the Treasury himself, in his annual report on the finances, had said, "it may well be questioned whether any ad valorem duties can be collected after the 30th of June." As the period approached when it was apparent that the general Tariff Bill could not be passed within that time, the Committee of Ways and Means reported a short bill, to extend for the limited period of one month, to the 1st of August, the existing laws for laying and collecting impost duties; and to appease Mr. Tyler's antipathy to the distribution of the proceeds of the sales of the public lands among the States, the first payment on that account, due by law on the first of July, was also to be suspended until the same first of August. This bill was, on the 29th of June, sent back to the House with a

*veto*, in which he said, "the existing laws, as *I am advised*, are sufficient to authorize and enable the collecting officers, under the direction of the Secretary of the Treasury, to levy the duties imposed by the Act of 1833."

Can you believe that the main reason assigned for this veto was, that the bill suspended, or in other words, abrogated *the provision* of the Act of 1833, commonly called the "Compromise Act?" The provision! What provision? no one could tell. The operation of the Compromise Act, on the 30th of June, was consummated. No man of any party, not Mr. Tyler himself, dreamt of continuing any longer the *provisions* of the Compromise Act. The last beatification of the Compromise was a horizontal duty of 20 per cent. ad valorem upon all unprivileged articles, with home valuation and cash duties. Mr. Tyler himself was obliged to give up the horizontal duties, and to admit discrimination for incidental protection to our domestic industry. Even he was for extending mercy to the manufacturers. What then was there left of the Compromise to contend about? Nothing—absolutely nothing—and yet Mr. Tyler puffed it off in solemn panegyric, declaring he had always regarded it as imposing the highest moral obligation; as if a halo of sanctity surrounded it, transcending the obligation of any other law, enacted by the same authority. The Constitution warrants no such distinction; and the mildest judgment that can be passed on this pretension of Mr. Tyler is, that he is under a total misconception of his official duties as President of the United States. He well knows that the compromise was a bargain or coalition of two sections of this Union against a third; and if he, as a citizen and Senator of one of the two combining parties, was accessory to it, when he became the President of the whole, he was bound by his oath, and ought to have been by his *conscience*, to consider the highest of his moral obligations as embracing the rights and interests of the whole, and not as contracted within the limits of the two *compromising* sections.

In the panegyric upon the Compromise this veto says that "this salutary law has existed nine years, with as general acquiescence, *it is believed*, of the whole country, as that country has ever manifested for any of her wisely established institutions." It is believed?—believed by whom? In its origin, all New England, the whole manufacturing interest of the North, protested against it. Not one member from Massachusetts, in either House, voted for it. The present Secretary of State, in the Senate, the present Governor of the Commonwealth, in the House, opposed its passage with all the force of their powerful minds. Tristram Burges, one of the most eloquent sons of New England, left on record a remonstrance against it, which will be

remembered when John Tyler will be immortalized by nothing but his vetoes. It has, for nine years, been generally acquiesced in? Yes.—No standard of rebellion has been raised against it, from New England. Her free laborers, manufacturers, and mechanics, outraged in their rights, and insolently and openly cast out of the pale of the PROTECTION of their country, have *submitted* to the authority of Congress. But submission is not acquiescence. And what has been its operation over the whole Union? The veto says, it provides “that duties shall be laid for the purpose of raising such revenue as may be necessary to an economical administration of the government.” It *provides*? There is a mistake of the word. It *asserts* this veriest truism of political common-place; but it *provides* no such thing. It provides that the duties levied under the tariff of 1832, then barely sufficient to defray the then actual expenditures of the Jackson Administration, as profuse in professions of economy as Mr. Tyler himself, should be, in the very year of the compromise, and biennially thereafter, till December, 1841, and again on the 30th of June, 1842, gradually reduced to a dead level of 20 per cent. ad valorem, never after to be exceeded—with home valuation and cash payments. That is what it *provides*, and without the slightest reference to the amount which might be necessary to an economical administration of the Government, or so much as an inquiry what *would* be necessary for the Administrations of Andrew Jackson, and his successor. And what was the consequence? From the day when the Compromise Act was signed until the day of its consummation, 30th June, 1842, a continually increasing deficit in the Treasury has absorbed not less than twenty millions of the proceeds of the sales of the public lands, eight millions of stock in the Bank of the United States, six millions of trust funds, and saddled the nation with a debt of at least twenty-five millions—an average deficit of at least six millions of dollars a year.

The principle of this “salutary law,” was that the *whole* revenue necessary to an economical administration of the Government, should be raised by impost duties; with the income from the dividends on the Bank stock. No part of it was contemplated to be raised from the proceeds of the sales of the public lands, for, together with the Compromise Act, Congress passed another act for distributing the proceeds of the land sales among the States. President Jackson signed the Compromise Act, and pocketed the Land Bill; and thereby violated the principle of the Compromise at the very moment of approving and signing the bill.

The Compromise then was violated at the very moment of its enactment. It excluded the proceeds of the land sales from the

annual ways and means of the Government, while the same proceeds were by another act distributed to their owners, the people of the separate States—and now Mr. Tyler vetoes the temporary Tariff bill because it violates the principle of the Compromise Act of 1833, which was that the *whole* revenue for the annual economical-administration of the Government should be raised by impost duties, and of the act of September, 1841, which makes the proceeds of the land sales part of the ways and means for the year, whenever the impost duties upon any one article exceed twenty per cent. ad valorem.

It was the proviso in the act of September, 1841, which nullified the principle of the Compromise Act of 1833. The *principle* was, to raise the *whole* revenue for annual expenditure by impost duties. The *proviso* was, that whenever the impost duties should exceed 20 per cent. the States should be robbed of the income from their lands to supply the deficit in the National Treasury. The proviso was in direct conflict no less with moral honesty, than with prudent policy, and with the principle of the Compromise. The distribution itself rested on the principle that the proceeds of the sales were the property of the States. If so, the Federal Government had no right to take the whole, or any part of them, to defray the current expenses of the year. The right of property of the States, conceded by the distribution with impost duties under 20 per cent. could not be divested by an act of Congress raising the impost duties on any one article to 21 per cent. Then as to the policy, no maxim of wise government is more firmly established than that its revenues and expenditures should be balanced as equally and steadily as possible from year to year. The efficacy of a protective revenue depends almost entirely upon its permanency—while nothing can be more unstable and fluctuating than the annual amount of the proceeds of the sales of the public lands. It has varied from less than one to more than thirty millions in a year. To make the revenues, destined to fulfil the pecuniary obligations of the nation, depend upon the vicissitudes of land speculation, is to turn the common Treasury, the guard and guardian of the public faith into a Faro Bank.

But the motive of Mr. Tyler for this stubborn adherence to the *proviso* of the act of September, 1841, is but too apparent. It is a shoot from the joint stock of Nullification and Slavery. It is to deprive the States forever of *all* income from the proceeds of the sales of the public lands. He knows as well as that the day differs from the night, that the day will never *dawn*, when a duty of twenty per cent. ad valorem on imposts will suffice to defray the current expenses of the government of the United States—and as that day will never come, his proviso is equiva-

lent to a standing law that no distribution of the proceeds of the land sales shall ever be made to the States; and that is undoubtedly his intention. All the proceeds of the lands will be wasted in meeting the daily demands on the common Treasury, and the richest inheritance ever bestowed by omnipotent goodness upon the family of man, will vanish like an unsubstantial pageant, and perish in the using, as if consumed by fire.

He says in the Veto—"The existing laws, *as I am advised*, are sufficient to authorize and enable the collecting officers, under the directions of the Secretary of the Treasury, to levy the duties imposed by the act of 1833."

As he was advised!—Advised by whom? The Secretary of the Treasury, a distinguished lawyer, and specially charged with the Department, responsible for the executive action on this subject, had, many months before, warned Congress that it might well be questioned whether, without further legislation by Congress, any duties could lawfully be collected after the 30th of June. The great majority of the lawyers in both Houses, including Mr. Calhoun, one of the authors of the Compromise Act, were decidedly of opinion that no such authority existed—not one member of the House ventured to avow the opinion that it did exist. If it did exist at all, it was only by forced and strained inferences and constructions of the Compromise Act. The question was at least extremely doubtful.

There is no usurpation by an Executive Chief Magistrate, in modern times, so odious and detestable, as that of levying taxes upon the people without the authority of law. It was the precise act of Charles the First, which caused the downfall of his monarchy, and brought him to the block. Charles was not only *advised* by his Attorney General that he had authority to levy ship money without act of Parliament, but eight out of the twelve judges of England decided that he had, and imposed a heavy fine upon John Hampden for contesting it. Charles had infinitely stronger reasons for believing that he possessed this power, than Mr. Tyler could have—yet for persevering in the exercise of that solemnly adjudicated right, he bears the brand of a detested tyrant, two hundred years after his death upon the scaffold, and will bear it to the end of time. George the Third was not only advised by his Attorney General, but by his Judges and Parliament, that they had the right to levy impost duties upon tea, and painters' oil and colors, in the colonies, and that belief severed the British Empire in twain. Mr. Tyler's confidence in his Attorney General's advice, must have rested on the stronger pillar of a slave-holding Supreme Court; and truly, with the recorded reasoning of its Southern Judges, in the case of the Antelope; and the more recent case of *Prigg vs. the State of Pennsylvania*,

there is as little favor to be expected from their decision, when the act of a brother slave-holder President of the United States comes in conflict with the first principles of human liberty, as from Captain Tyler himself.

Mr. Tyler, before he sent this veto to the House, had already caused instructions to be given to the Collectors of the Customs, to continue the collection of duties 20 per cent. ad valorem after the 30th of June, under regulations by the *Secretary of the Treasury*. The 3d section of the Compromise Act had prescribed that, after the 30th of June, 1842, the duties should be assessed upon the home valuation, "under such regulations as *may be prescribed by law*"—and the 6th section provided that after the same 30th of June, 1842, certain articles may be admitted to entry, subject to such duty, not exceeding 20 per cent. ad valorem, as *shall* be provided for *by law*. The Attorney General advised that the home valuation might be assessed under regulations, prescribed not by law, but by the Secretary of the Treasury; and his reason for it was that the words *may be* were equivalent to "may or may not be"—and when the Secretary of the Treasury reminded him of the words *shall be*, in the 6th section of the act, he replied that they confirmed him in his former opinion. This is the paltering with language which Mr. Tyler expects will be sanctioned by the solemn decision of the Supreme Court of the United States:

A resolution of the House called on the Secretary of the Treasury to inform, whether any such instructions had been issued to the Collectors, and if so, for a copy of them, and whether he had changed his opinion, strongly doubting whether any duties could be collected after the 30th of June, and if so, for the reasons for the change. This call was answered by the Secretary, not admitting any change of his own opinion, but reporting the opinion of the Attorney General, advising the President that the duties authorised by the Compromise Act to be assessed under regulations which *shall* be provided for *by law*, might just as well be collected under his authority, *without law*; and that the instructions to the Collectors two of which, of contradictory import were annexed to the report, and that these instructions were issued in conformity to this *advice* of the Attorney General.

The Secretary's report was referred first to the Committee of Ways and Means, and then to the Committee on the Judiciary, the chairman of which, Mr. Daniel D. Barnard, one of the ablest members of the House, reported a review and analysis of the Attorney General's *advice*, scattering its arguments to the winds; and the committee reported a bill to supply the authority for a lawful collection of duties, and to legalize, as far as the power of Congress itself was competent to do so, the collection of duties,

which Mr. Tyler had presumed to ordain without law. The whole of this transaction was, in my deliberate opinion, so utterly lawless, and the assumption, not only of legislative, but of the whole taxing power of Congress, so flagrant, that I believed it a clear case for the exercise of the impeaching power of the House of Representatives. But it was equally clear that a majority of two thirds of the Senators, prepared to vindicate this outrage upon the Constitution, and upon the liberties of the People, would be a hopeless expectation; and as the lawfulness of Mr. Tyler's legislative taxation was ultimately to be decided by a political, Southern, sectional Supreme Court, there was no better prospect for the self-evident truths of the Declaration of Independence in that quarter, than in the Senate. Impeachment, therefore, was de facto out of the question, and the daring practical assumption of the legislative and taxing power on the first of July, was followed the very next day by the letter to the dinner party at Philadelphia, asserting, in so many words, that the Constitution denies to Congress the right to pass any law *without his approval*: thereby "imparting to it [the Executive] for wise purposes, an active agency *in all legislation*."

These violent Executive inroads upon the Constitution, and imminently dangerous examples, far transcending any thing ever attempted or claimed by Andrew Jackson, compelled me to depart from the passive and almost unresisting silence with which I had witnessed the overbearing, inconsistent, and arbitrary proceedings of Mr. Tyler at the preceding session. I felt it to be due to myself, to my country, and to the cause of freedom, to take my own stand, and to bear emphatic testimony, both against his pretensions and his practices.

The deposit, in the Department of State, of the reasons for approving and signing the Apportionment Bill, preceded only by four days the veto of the temporary Tariff Bill. I considered this deposit, and approval, as the most insidious, and profligate instance of double-dealing, which had disclosed the character of the man. The intention was evident. It was an incendiary attempt to kindle and inflame resistance against that section of the law, under the banner of State sovereignty. It was Nullification brandishing the torch of civil war. It was to prostrate the legislative power of Congress before the counter legislation of separate States; and it prepared for the first meeting of the 28th Congress, a conflict between the authorities of the Union and of the States, more calculated to rend them asunder, than any thing that has ever brought them into collision. I moved the reference of the deposit reasons to a Select Committee, which reported a severe review of the deposit reasons, and a resolution protesting against this procedure of Mr. Tyler. His friends in the House, well

knowing that the report and resolution would, if discussed, have been adopted by the House, contrived to dodge the consideration of the report, by objections which could be overruled only by majorities of two thirds.

The duties of 20 per cent. ad valorem were, for the space of two months, from the first of July to the 31st of August, actually levied under the Tyler ordinance, and the advice of his Attorney General. From one to two millions of dollars may have been thus collected; but the importers of the articles on which the duties have been levied, have not been unresisting sufferers of this wrong. They have protested against it, and brought suits against the collectors of the Customs, which are to abide the decision of the Supreme tribunal of the nation. If John Marshall still presided over that Court, and Bushrod Washington were yet one of its members Captain Tyler would never have made this experiment upon their justice and their sympathies. We are now to await the result.

The two Houses of Congress proceeded to mature what they intended for a permanent Tariff. It was eminently protective to the internal industry and manufactures of the country, and was presented to the President on the 6th day of August. He returned it to the House with his objections, on the 9th. The main reason assigned for the veto of the temporary Tariff Bill, had been that it separated the appropriation of revenue from impost duties, from that of the proceeds of the public lands, by reserving the latter for distribution to the States. In the present bill he begins by admitting that he had recommended the distribution of the proceeds of the land sales, but says he had *coupled it with a condition*, that the impost duties should not exceed 20 per cent. ad valorem; and immediately after he makes it his prime objection to this bill, that it couples the revenue from impost with the distribution of the proceeds of the land sales, thus uniting two subjects which have, but says, no affinity or congruity with each other. So that his objections to the two bills are, first, that they uncoupled two subjects which he had coupled, and secondly, that they had coupled the same identical two subjects. In the condition itself, upon which alone he says he recommended the distribution, there was disingenuousness and bad faith; for he knew, and avows in the same message, that 20 per cent. ad valorem would not suffice to defray the expenses, even of an economical administration: he knew that the duties, even for revenue, must be raised above 20 per cent. What, then, could be the motive for recommending a distribution, upon a condition which he knew could not be complied with? What but to get credit for recommending distribution, and yet inflexibly withholding it?



I moved in the House the reference of this veto to a select committee of 13 members, to consider and report thereon; which, after much chicanery and petty stratagem to escape it, was carried. The committee consisted of ten Whigs, one officer of the guard, and two Five Points Democrats. My report was signed by nine members of the committee, from nine different States, besides myself, and was adopted by a Resolution of the House, taken by yeas and nays, 100 to 80. There were two minority reports—one by the officer of the guard, bristled with Tylerish arguments against the proceedings of the House—the other, by the two democrats, consisting chiefly of personal buffoonry upon me. The reports were all printed by order of the House, and are among the documents of the session. No extra number of copies was printed by order of the House; but I shall send a copy of my report to every town in this Congressional District, as a parting valedictory to my constituents.

It concluded with a Resolution proposing an amendment of the Constitution to restrict the exercise of the veto power. A majority of the committee would have preferred a Resolution of Impeachment, but the special grounds for impeachment were not merely the abusive exercise of the veto, but far more the groundless claim and lawless usurpation of legislative power, in levying taxes without law, and issuing regulations expressly reserved by law for the action of Congress; and in the treachery of approving and signing a bill, and depositing in the Department of State an incendiary fire-brand against its most important enactment. The reference of the House to the committee was only the veto message, which might not of itself warrant an impeachment, which even if instituted by the House would certainly not be sustained by a vote of two thirds in the Senate. It was not expected that the proposed amendment of the Constitution would be carried by a vote of two thirds in either House, but it was believed that the vote of the House upon it, would mark their disapprobation of Mr. Tyler's abusive exercise of a constitutional power, and yet observe towards him all the respect due to his official character, as head of the Executive Department. The vote of the House upon the Resolution was 98 to 90. A majority—but not two thirds.

On the 30th of August, the last day before the close of the session, Mr. Tyler sent to the House a whining and insulting protest against the act of the House adopting this report; denying the right of the House to pass any censure upon his acts as a co-ordinate department of the Government—and demanding that his protest should be entered on the journal of the House. With the characteristic cunning of a double-dealer, he delayed the transmission of this protest to so late a moment, that there could

be no discussion in the House upon it, and on six different pretences, all equally frivolous or groundless, he complained of the injustice of the House in the adoption of my report. Under the mask of this protest against the act of the House, I saw his device to make up an issue before the country and the world, between him and me, under circumstances in which I should be deprived of the opportunity of replying to his sophisms and his lamentations. But there was no time for debate. I merely gave notice to the House that for the composition and the presentation of that report, which the House had adopted as their own, I held myself responsible to the House, to the country, to the world, and to Mr. Tyler himself, who should hear from me on the subject elsewhere—a pledge which I hereby redeem.

But all the grounds of Mr. Tyler's protest were immediately withdrawn from under him by a mere recurrence to the journal of the Senate, to his own recorded votes, and to the thrilling eloquence of the present Secretary of State, on an occasion so strikingly similar, that all the differences between them, forcibly operated *against* the present pretensions of Mr. Tyler. In 1834, the Senate of the United States, of which Mr. Tyler was then a member, passed certain resolutions of censure upon certain measures of President Jackson's administration. Whereupon he sent a protest to the Senate, denying their right to pass such resolutions, and demanding that his protest should be entered on their journal. Mr. Tyler had voted for the resolutions of censure, and voted to reject the protest, to refuse to enter it upon their journal, and for a resolution expressly denying the right of the President of the United States to send a protest to the Senate against *any* of its proceedings. All the topics of Mr. Tyler's protest were annihilated by the mere record of his own votes; and the House, by majorities of 87 to 46, of 86 to 48, and of 86 to 53, turned upon Captain Tyler the battery of his own artillery, by adopting against his protest, the identical resolutions voted for by himself against the protest of Andrew Jackson.

You are aware, Fellow Citizens, that my name is not among those which voted for, and finally carried the tariff bill, which at last obtained the approval and signature of Mr. Tyler, who thus succeeded in extorting from you, the portion of the proceeds of the sales of the public lands—a portion, to all intents and purposes, your property, as much as the dwelling house, which any one of you has inherited from his father, or purchased for a lawful conveyance in fee simple. The distribution of these avails of your lands would enable your Legislature to discharge the principal and interest of the whole debt contracted by them for those inestimable rail roads, which are pouring into your State treasures

beyond "all the wealth of Ormus or of Ind;" which are giving verdure to the cultivation of your fields; weight, fulness and multitude to the garnerers of your harvests; comfort and competency to the industry of your farmers, your mechanics, your manufacturers, and your merchants; skill, science, invention, to your handicraftsmen; hardihood, energy, self-confidence in danger to your mariners and fishermen; courage and conduct to your warriors upon the ocean and upon the lakes, the best defenders upon the seas of your country upon the land; and wings to the expansion of your commerce, to every harbor of the habitable globe—which give facility and speed, outstripping the winds, to your intercommunications with your friends, your families, your fellow citizens, your connections in business, and your excursions of pleasure, till the obstructions of time and space almost vanish before you, and till, by progressive approximation, the teeming myriads of your population, spread over two millions of square miles, promise to cluster into one great consolidated family of brotherhood. These, and all these, are but a part of the blessings secured to you and your posterity by the debts, which the wise and intelligent foresight of your Legislature has contracted, and which *you* are not the men to think can be paid by *repudiation*. No! Sooner would you stint your children in their bread. But in contracting these debts, your Legislature knew that your property in the public lands, if honestly paid you, would be amply sufficient to repay you every dollar of charge which the contracting of these debts would necessarily bring upon you. And on the 30th of January, 1839, they adopted the following Resolves, which, on the 13th of January, 1840, were presented by Governor Lincoln to the House of Representatives of the United States.

#### COMMONWEALTH OF MASSACHUSETTS.

IN THE YEAR ONE THOUSAND EIGHT HUNDRED AND THIRTY-NINE.

##### *Resolves in Relation to the Public Lands of the United States.*

*Resolved by the Senate and House of Representatives in General Court assembled,* That the public lands of the United States, whether acquired by conquest, cession, or purchase, are emphatically the property of the Union, and that they ought, therefore, to enure to the use and benefit of all the States, in just proportions, and cannot be directly or indirectly appropriated to the use and benefit of any particular State or States, to the exclusion of the others, without an infringement of the principles upon which cessions from States were expressly made, and a violation of the spirit of our national compact; as well as the principles of justice and sound policy.

*Resolved,* That we deem it the duty of Congress, immediately to adopt some permanent and equitable system for the gradual disposition of the public lands, having due regard to the interests of the whole Union; and providing for the distribution of the proceeds of these lands among the States, in obedience to the conditions imposed by the terms of cession, and the obvious demands of equity.

Thus you see, Fellow Citizens, that the distribution of the proceeds of the sales of the public lands, is inseparably connected with the means of relieving you from the burden of your State debts, and of enabling your Legislature to discharge, faithfully, every dollar of those debts, principal and interest, without imposing, ultimately, one dollar of burden upon *you*. And this immense, uncalculated value of your property in the public lands is thus important, not only to you and your children, for ages to come, but to the whole people of the nineteen States of this Union, most of them more deeply involved in debts contracted for the same purposes of internal improvement, than yourselves. Nor less important to the people of the seven States, whose parsimonious policy has kept them free from debt, but cast them proportionally behind their sisters, in the progress of internal improvement. They are all entitled to their portion of the property, in the distribution of the proceeds, and although the Legislatures of some of them have been so infatuated as to declare they would refuse their portion, should it be tendered to them, the example of Georgia has furnished edifying proof, with what graceful resignation this stubborn virtue would melt under the radiant sunbeams of a real distribution. By receiving their portions of the proceeds, those States may, if they please, alleviate the existing burdens of taxation on their own people; or constitute a fund for internal improvement within themselves, which will repay them and their people, to ten fold, aye, to a hundred fold, their amount, in prosperity.

Fellow Citizens, I have opened and exposed to your view the dark chambers of the motive of Andrew Jackson, who first broached the doctrine of giving away those public lands to speculating adventurers, or to the States in which they are situated, and of John Tyler, for adhering, with such unrelenting tenacity, to the system of squandering the whole of this exhaustless treasure in the current annual expenditures of the National Administration; in doubling armies, quadrupling navies, and filching funds to buy up popular newspapers, and hungry sycophants, to pander for presidential electioneering. The motive is one, though the means are not the same. It comes from the store-house of Nullification. Twin-brother to the forty bale theory, and the outlawry of domestic industry, already disclosed to you by the letter of my friend, Mr. Nathan Appleton. It is of the same family with the war against Mexico for the annexation of Texas; with the war against England for the Island of Cuba; or to burn at the stake the self-emancipators of the Creole. Its most dreaded foes are the self-evident truths, the right of petition, the panoply of the habeas corpus, the trial by jury, the freedom of speech, of the press, and of legislative debate. The first founder of the

family is SLAVERY. Its ultimate aspiration of destiny is, the the dominion of the slave-ridden over the free. Its antipathy to the African slave-trade is for the monopoly of the market in human flesh. Its fearful but remorseless foreboding of the future, is the freedom of all mankind—and its abhorrence of all internal improvement by the mighty arm of the Union, is to rivet forever the manacles and fetters of the slave.

To wrest from the people of the free States the property which would enable them to pursue, without over-burdensome taxation, their own ardent impulse to the improvement of their own condition, Mr. Tyler conceived the device of diverting all those funds into the muddy stream of the daily national expenditures, with which they would run down and be lost. Mr. Tyler vetoes the tariff bill, because it departs from the compromise, to which he attaches some mystified moral obligation, and because it clashes with a condition which *he* had tacked to it, in direct violation of the compromise itself. For I have shown you that the compromise act of 1833, so far from contemplating or authorizing the application of any part of the proceeds of the sales of the public lands to the expenditures of the National Administration, was presented to the President together with *another* act for distributing all the nett proceeds of the land sales among the States, for five years. That act emanated from the same source, and was sanctioned by the same Congress, at the same time with the compromise act; and although on another roll of parchment, as a system of administration, formed a part of it; and to tell us now that the seizure of the proceeds of the sales of the public lands to supply the deficiencies of the horizontal twenty per cent. impost duties, carries with it a moral obligation of reverence for the compromise of 1833, is no better than an attempt to blind our eyes in the act of picking our pockets.

Fellow Citizens, I had long entertained and cherished the hope that these public lands were among the chosen instruments of Almighty power, not only of promoting the virtue, welfare and happiness of millions upon millions of individuals and families of the human race, but of improving the condition of man, by establishing the practical, self-evident truth of the natural equality and brotherhood of all mankind, as the foundation of all human government, and by banishing Slavery and War from the earth. The extent of territory, the fertility of soil, the salubrity of climate, the intersection of mighty rivers, with the numberless multitude of their tributary streams, were all signal indications of the purpose they were granted to accomplish. The admirable system of territorial government provided for them by the Congress of the confederation, the unfading glory, not only of Nathan Dane, but of Thomas Jefferson—and especially that fundamental prin-

ciple of their constitution, that there should be neither slavery nor involuntary servitude throughout the land, seemed to me like the voice of the precursor in the wilderness, announcing the advent of the Saviour of mankind. Was all this an Utopian day-dream? Is the one talent, entrusted by the Lord of the harvest, for the improvement of the condition of man, to be hidden under a bushel? Is the lamp, destined to enlighten the world, to be extinguished by the blasting breath of Slavery? The project first proclaimed by Andrew Jackson, in his annual message of December, 1832, of giving away the national inheritance to private land jobbers, or to the States in which they lie, and to renounce forever all national revenue to be derived from them, was the consummation of the Maysville road veto policy, and the substitute for nullification to perpetuate the institution of slavery and its dominion over the North American Union.

The contrivance of Mr. John Tyler, to waste all the proceeds of the land sales, by absorbing them in the gulph of the annual expenditures of the federal government, is a more insidious, a more plausible, but equally fatal expedient to divert the unparalleled bounties of Providence from the cause of freedom, to the cause of oppression; from the improvement, to the degradation of the condition of man. The *proviso* to the 6th Section of the Act of Sept. 1841, to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights, suspending the distribution, whenever the impost duties should, upon any article, exceed 20 per cent., was a *tack*, added to the bill in its passage through the Senate, after it had passed the House—added at the dictation of Mr. Tyler, upon the usual intimation, that without it he would veto the bill. It was equivalent to a fraudulent nullification of the distribution itself, in the very process of enacting it. For no one knew better than Mr. Tyler, that a horizontal impost duty of twenty per cent. could not possibly supply the indispensable necessities of the treasury, and that a suspension upon that condition, was in fact a repeal of the distribution itself. I voted against concurring with the Senate, in adopting this *tack*, which was carried in the House, by the Whigs, against their own opinions, as more than one of them avowed to me, and in compliance with their over-ruling propensity to yield to the humors of Mr. Tyler. He therefore was the very individual who linked the two subjects so incongruous together; the very reason which he assigns, in the fore front of the veto of the second Tariff Bill. The real motive was to snatch from the people of the separate States the means of paying their debts, and accomplishing their great undertakings of internal improvements, forever, and the primary spur to the motive was the supremacy, present and prospective, of the slavery over the freedom of the Union.

The persevering and unremitting exertions of the Whig majorities in both houses of Congress, at the recent session, to rescue this Treasure of the separate States, from the grasp of the spoiler, and the convulsive struggle with which he clung to his hold upon it, have been witnessed by you all: the Whig majorities concurred with me, to the last moment, in the opinion that the enactment at that time, even of a protective tariff, indispensable as it was, to the urgent necessities of the Treasury, to the punctuality of the national good faith, and to the suffering industry of free labor, was yet but a secondary object to that of retaining unimpaired, the birth-right of the people's inheritance—the proceeds of the public lands, the best gifts of God, to them and their posterity, for all future time. To this opinion I finally adhered; nor have I yet yielded it to the event. But when it became apparent, that the beggary of the Treasury, the glaring wreck not only of free labor, but of all the great interests of the nation, and the good name of the nation itself, crumbling into ruin under the repudiation of the State debts, were as nothing in the eyes of Mr. Tyler, compared with the glory of seizing upon the property of the States, to pay the daily expenses of his administration, then their hearts relented, and in view of the agonizing distress of their country, to use the beautiful allusion of the true-hearted Stanly, like the true mother, in the judgment of Solomon, they surrendered the darling child to the false pretender, rather than receive the half of the mangled corpse as their own. They passed the Tariff bill without repealing the suspensive proviso, and surrendered, for the moment, the property of their constituents, to the rapacity and extortion of Captain Tyler.

I cannot share with them the honor of this great sacrifice, but I freely yield it to them. The tariff as it is, has given some relief to the exquisite suffering of all interests throughout the Union. I fondly hope, that it may definitively yield more, much more relief, though I have no expectation that it will supply the indispensable wants of the Treasury. Notwithstanding the large retrenchments made at the late session of Congress, of the expenditures in the War and Navy Departments, and in the Civil List, instead of the enormous *increase*, recommended by Mr. Tyler and his Secretaries, it appears by an official publication, by the Clerk of the House of Representatives, that the actual appropriations amounted to a very trifle less than twenty-five millions of dollars. I hazard nothing in saying that the tariff, even with the superadded plunder of the public lands, will not yield twenty. The national debt is yet unprovided for, and is daily increasing. The democracy in Congress have been complimented for what they certainly never have claimed, their share in the enactment of the tariff without distribution; while the trumpet sound of repeal is wafted to our ears, on the wings of every Southern breeze. But the Whig majorities in both Houses of Congress, when they surrendered for the moment, the dividends already due to their States, of the proceeds of the lands, had no intention to surrender or abandon the principles of their right. One half year of their dividends was already due and payable to them, and they passed

a separate act to repeal the proviso, suspensive of the distribution. Mr. Tyler, stiffening in his resistance to them, in proportion to the humility of their concessions to him, neither approved and signed the bill, nor returned it, with his objections, but smothered it with a pocket veto.

The tariff act is eminently protective; far more than it is financial; and its approval and signature, by any other than the accidental President, might be considered as a formal renunciation of that religious veneration for the compromise of 1833, which he has announced as an article of his code of moral obligations. But little reliance is to be placed on the steadfastness of the tariff, and as to the currency, the circulation of exchanges, the Fiscal Corporation, or the Exchequer of issues, the first step is yet to be taken, to redeem the prostrated reputation and credit of the nation.

Fellow Citizens, I am requested to say something to you upon the *right of petition*; the topic upon which your approving resolutions are most peculiarly gratifying to me, as it is that upon which the severest of my trials, as your Representative, has been endured.

I have informed you how, at the commencement of the present Congress, the gag-rule, excluding all petitions touching the institution of slavery, from being *received*, after three successive votes of the House to discard it from the rules, was *restored*; first, by two motions for *reconsideration*, made by members from the key-stone State, holding the balance between the North and South in their hands; and in the common worship of God and Mammon, adhering in theory to the true God, and to the demon-idol in practice. Next, by the yielding compromise of excluding *all* petitions *for that session*, with the humbug appointment of a Select Committee, of five slaveholders and four of the free representation, to revise *all* the rules. Then by staving off the report of that Committee till the last day of the session, and then smuggling into it a new gag-rule, against the *reception* of anti-slavery petitions. And lastly, by *laying on the table*, at the second session, the report of the Select Committee, after fixing a special day for its consideration, and thereby leaving the original gag-rule in force, as if it had never been set aside.

This is the *management* by which the *gag-rule* of the 26th Congress has been fastened to the staple of the 27th, and it has so thoroughly prostrated the right of petition of the whole people, that I myself was compelled to move, that all petitions might be handed in at the Clerk's table, for the Speaker to decide whether they should be received or not, and that those which he decided to be received, should be referred to the appropriate Committee.

Thus stands the matter *now*. Your enjoyment of the right of petition to the Congress of the United States, and that of every freeman in this Union, rests upon the arbitrary fiat of a slave-holding Speaker. Would to God I could give you any encouragement to expect a better order of things in this respect. On the first Monday of December next, Congress are again to reassemble. I or some other member will move to rescind the *gag-rule*. But we have to deal with the same Congress—the same President, whose name, and patronage,



and influence were so fatally used against us, upon the struggle to restore the rule; and the same *House*, which, after a thrice repeated majority had testified their reprobation of it, by a compromise, between the Loco Foco democracy of the key-stone State, and the slavery of the South, fell back to the worship of the foul idol. That House will have but three short months to live. And as notices were given at the close of the late session, of the intention of several of its members to call up for discussion several subjects of transcendent importance, you will not be surprised, if, when any motion shall be made to rescind the rule, you should hear of its being met by objections of order, previous questions, and motions to lay on the table; which will be supported by the whole slave representation in the House—by the Northern Five Points democracy, the consistent Swiss guards of Southern slavery,—by the balancers of the key-stone State, and even by the languid, compromising non-resistants of the North, afraid of answering a fool according to his folly, and flinching from the attitude of defiance, flung in their faces by the bullying threat of readiness to meet them “here or elsewhere.” And if all these expedients should fail to stifle a full debate on the motion to rescind, it may be turned into a motion to censure or expel Mr. Joshua Giddings or me, for presenting a petition, and after spending ten days of debate upon that, lay it on the table, and set the newspaper reporters of the South, *ay*, and of the North, to charge him and me with wasting the time of the House and of the Nation, by stirring up incendiary abstractions. With that approaching short session of Congress, my term of duty in your service will close. How the next Congress will be composed, who can tell? But look well to the *firmness* and *discernment* of the candidates who are to represent you in the councils of the nation hereafter. I am unwilling to name all those who share the responsibility of the restoration of the gag-rule; but it will never be rescinded so long as any of *your* Representatives will listen to compromises for a single session.

There is one part of Mr. Tyler's administration, upon the management and result of which, thus far, we may all join in congratulation and applause—and it is precisely that part, the whole responsibility of which has rested upon other shoulders. For if *his* feelings and intentions are to be inferred from the first manifestations in the House of Representatives, as well from the ostensible head of his corporal's guard, as from his auxiliar democracy of the Five Points, they were far from being favorable to the Treaty concluded between the Secretary of State and the late special minister from Great Britain. On the day when the Treaty was transmitted to the Senate for their advice and consent to its ratification, a double movement in the House, from the repudiating democracy and from the Captain of the guard, who had labored so hard to turn me out the chair of the Committee of Foreign Affairs, and who failing in that well concerted manœuvre, had sounded and led off the retreat of the whole slave-dealing detachment from that post, *indicated* that the conscience of Captain Tyler was by no means reconciled to the Treaty concluded by the Secretary of State. The *indications* of Captain

Tyler's feelers of the public pulse, the *Madisonian* and the *Globe*, coincided exactly with this joint movement of Mississippi repudiation, and of Albemarle slave-dealing. The movement was arrested on the spot, by Mr. Horace Everett, of Vermont, as you may all see by referring to the reports of the debates in the House, of that day, and the member from Albemarle reserved himself for minority report number one, from the Committee on the second tariff bill veto.

Even after the Treaty was ratified, the Democrat of the Five Points, who had told the House how easily, in the event of a war with England, we could burn the city of London, and perhaps sponge two hundred millions of dollars of debt, and who had so kindly instructed Lord Ashburton, how, by stipulating reparation upon all the five points of British aggression, he could go home and be rewarded with an Earldom—after the Treaty had been ratified, told the House with great emphasis, that the Treaty had yet to undergo the ratification of *that House*, and very significantly intimated that it never should receive that ratification with his consent. So we must not yet be too confident of the final ratification of the Treaty, while the Five Points democracy, repudiation, and Tylerism, have combined their forces in the House of Representatives, against its ratification by that House. As the Constitution of the United States is understood to be an instrument of limited powers, if you are disposed to inquire in which of its articles it grants to the House of Representatives the power of ratifying Treaties, you may be assured that you will not find it there; but it may perhaps be inferred from a dissertation on the veto power, in minority report number two, from the Select Committee on the second Tariff Bill Veto.

These *indications* may well justify some distrust of the real dispositions and purposes of Captain Tyler, with regard to the faithful execution, if not to the ratification of the Treaty. We are yet to see how it will be treated by his partizans, when it comes before the House of Representatives, for the appropriations to carry it into execution. The Treaty has been made public, though not in official form, and has been so universally approved, that even the cavils of the *Madisonian* and the *Globe*, though not their caustics against the negotiator, have been silenced. To him the whole credit of the negotiation and its results has been ascribed—I believe justly; but I yield to Mr. Tyler's administration, and to himself personally, the credit of having confided the whole responsibility of the negotiation to Mr. Webster, and of having ratified the Treaty when concluded.

Fellow Citizens—Among the animadversions upon my public conduct which have occasionally been brought to my notice, and for which I am accountable to you, is the charge that in the controversies which I have been constrained to hold with other men, I have manifested a harsh and acrimonious temper, and have used violent and passionate language. There may be some foundation for this charge; and if there be, an apology for it is due to you, from me as your representative. Self-control is a jewel of inestimable price, and

Thrice happy they who master so their blood,

as never to lose it. But so far as any friend, or impartial person, may have thought me blamable in that respect, I would ask him to consider that the adversaries with whom I have had to contend, face to face, have pursued me with a virulence and rancor unparalleled in the history of this country. That twice in the space of five years, I have for the single offence of persisting to assert the right of the people to petition, and the freedom of speech, and of the press, been dragged before the House in which I was your representative, as a culprit, to be censured, or expelled; and when, after ten days of the most unrelenting persecution, I have barely been released from its fury, I have been still denounced as the cause of the waste of time consumed by my persecutors, in their struggle to accomplish my ruin. On one of these occasions, the leader of the associated legion banded against me, has had the candor to avow his motive for hunting me like a partridge upon the mountains, and I take the liberty to read it to you in his own words. Mr. Thomas F. Marshall, after the failure of his magnanimous campaign against me, published in a pamphlet his eloquent speeches, delivered to obtain a sentence of condemnation against me, and dedicating the pamphlet to his constituents, announces to them his purpose for the future, and his motive for the past, in the following words:

“Though petitions to dissolve the Union be poured in by thousands, I shall not again interfere on the floor of Congress; considering as I do, that the House have virtually decided that there is nothing contemptuous or improper in offering them, and unwilling again to afford to Mr. ADAMS an opportunity of sweeping all the strings of discord that exist in our country. I acted as I thought for the best, being sincerely desirous to check that man, who, if he could be removed from the councils of the nation, or *silenced* upon the exasperating subject to which he seems to have devoted himself, *none other, I believe, could be found hardy enough, or bad enough, to fill his place.*”

Besides this special and avowed malevolence against me, this admitted purpose to expel or silence me, for the sake of brow-beating all other members of the free representation, by establishing over them the reign of terror, a peculiar system of tactics in the House has been observed towards me, by the *silencers* of the slave representation, and their allies of the northern democracy, and of the guard. You remember the desperate struggle at the late session, of the slave representation in the Committee of Foreign Affairs, to turn me out of the office of Chairman of that Committee, to which the Speaker had appointed me; and that, when that effort failed, five members, constituting the majority of the Committee, four slave-holders, and one Tylerite of the guard, declined serving any longer in the Committee with me, and that three other slave-holders, appointed by the Speaker to supply their places, declined in like manner. Not one of these eight members had ever had one word of personal difference with me, upon any subject—their purpose was exactly that of Mr. Marshall, to remove me from the councils of the nation, or to silence me, for the sake of *intimidating* all others—an ostentatious display

of a common determination to serve with no man who would not submit to the gag, and would persist in presenting abolition petitions.

You can readily conceive, fellow citizens, how powerful the effect of such movements is to overawe the members from the free States, and to frighten them from their propriety. Every member naturally wishes, apart from sectional or partizan feelings, to stand well with the other members of the House. To stand well with the Southern members, is a ruling passion with many members from the free States, and there is nothing so sure of obtaining their good graces, as a yielding temper and disposition on this point of Anti-Slavery. Where the South cannot effect her object by brow-beating, she wheedles. The restoration of the gag-rule, after it had been three times rejected, was effected in this manner. Two members from the State whose motto is "virtue, liberty, and independence," and who had voted against the rule, moved and carried *reconsiderations*—to keep the balance between North and South in their own hands. Then came another notable device—the appointment of a Select Committee, composed of course of five slave-holding members, and four from the free States, to report a revival of *all* the rules. Then a proposition to exclude the reception of *all* petitions, till after the report of this Select Committee, [except on subjects specially noticed in the President's message.] This Committee never reported till the last day but one before the close of the session, and then nothing could be done but to lay the report on the table. The good nature of the free representation, circumvented by this show of a compromise, yielded to the exclusion of petitions *for that session*, and never recovered the right. The yielders commended themselves by their concession to the good feeling of the South, and she patted them on the back as good honest fellows, albeit abolitionists, and laughed in her sleeve to find how easily yankee cunning could be outwitted. This compromising with principle, to appease the South, is one of the means of obtaining personal influence with Southern members. The refusal to serve with me upon the Committee of Foreign Affairs, was another sprig of the same stock. I do not believe there has ever been, since the existence of the General Government, another instance of a combined squad of members refusing to serve on a standing committee of the House, with one member of the House, because they could not remove him from the councils of the nation by expulsion, or turn him out from the chair of the Committee, without a shadow of assignable reason for the act.

This communion of South, sectional, and Locofoco antipathy, has given rise to another practice peculiar to their treatment of me. I never can take part in any debate upon an important subject, be it only upon a mere abstraction, but a pack opens upon me of personal invective in return. Language has no word of reproach and railing, that is not hurled at me, and the rules of the House allow me no opportunity to reply, till every other member of the House has had his turn to speak if he pleases. By another rule, every debate is closed by a majority, whenever they get weary of it. The previous

question, or a motion to lay the subject on the table are interposed ; and I am not allowed to reply to the grossest falsehoods, and most invidious misrepresentations. These often pass from one member to another, in their combined assaults against me in debate, are then caught and circulated by the reporters, and letter writers from Washington, to the newspapers, and re-echoed through all the party-presses of the Union. I give you an example. In a speech that I made on the morning when the second Tariff bill was sent to the President, I observed that he then had it in his power, by the single word "approved" and the signature of his name, to heal the breach, large as it was, which had unhappily been made between him and Congress, to restore peace, happiness and prosperity to the country. That if he should refuse that signature, Congress could do no more than return to their homes, and leave the people to provide the remedy by the ballot-boxes—unless, which might Heaven in mercy forbid, the last resort should be to the God of battles. My colleague, Mr. Cushing, some days after, in a speech against me, said that my first objection against a Tariff bill without a land distribution section, had been "*an appeal to the God of battles.*" From him it passed like a watch-word to half a dozen other members, all gravely charging me with having "invoked the God of battles"—and one of them, Mr. W. W. Irwin, the Pittsburg member of the Corporal's guard, not content with joining in the chorus in the House, published it afterwards in a pamphlet, which I have in my hands, and from which I take the liberty to read you an extract.

"He (Mr. I.) had been pained and shocked to hear the idea recklessly suggested, as to the danger of *civil war* growing out of this conflict of opinion between the Legislature and the Executive—a conflict anticipated by the framers of the Constitution, nay, *authorised* and provided for by that matchless instrument. CIVIL WAR, indeed. Why, Mr. Chairman, the people of this country will permit no such thing. They will not suffer it, sir. The breath of the PEOPLE, like a whirlwind of wrath, would sweep from the face of God's earth the wretch who would dare to rear the standard of civil war! It is idle to harbor such thoughts. It is wicked to express them.

"Mr. I. fully reciprocated the honest sentiment of reprobation expressed by the venerable patriot from Kentucky, (Mr. POPE,) at the idea of invoking an appeal to the God of battles on such an issue. Invoke the *God of battles!* Better, far better, would it become them all to invoke the God of mercy and of love; HIM who sent his only Son into this cruel, vindictive and remorseless world, to preach peace and good will amongst men; that *He* might infuse a little of the spirit of moderation and wisdom into their councils, and strengthen and enable them faithfully to do their duty, their whole duty to a suffering country. He hoped no more of such language would be heard in that Hall."

Fellow Citizens,—Have you enough of this overflow of benevolence, patriotism and Christian charity? How pious! how loving! how full of the milk of human kindness! Mr. Irwin, while grasp-

ing at the thunderbolt of the PEOPLE, to hurl it at the *wretch*, whom he would sweep from the face of God's earth, does not name *me* as the intended victim of this popular revenge—he would have acted a manlier part, in brandishing the besom of his wrathly whirlwind, if he *had* named me—but if, in reading this racy paragraph of his speech, you will stop to enquire what is the meaning of the words “them all,” you will immediately perceive that they stand there as the substitute for my name, which the wrath of Mr. W. W. Irwin lacked energy to pronounce.

I had no opportunity in the House of replying to this charge of Mr. Irwin. that I had *invoked* the God of battles, to decide the contest between Captain Tyler and the Whigs in Congress; nor to any other of the “*race moutonière*,” who caught up and repeated the same charge, one after another, till it went from the reporters to the newspapers, and was rung like a tocsin throughout the land; but you see that it was a gross misrepresentation of what I had said, whether originating in the obtuseness of intellect, which cannot discern the difference between an *invocation* and a *deprecation*, or in the wilful purpose of misrepresentation, Mr. Irwin and his coadjutors may settle for themselves. I leave with Mr. Irwin my hearty commendation of his invocation of the God of mercy and of love, with the exhortation that in his next paroxysm of piety he will remember that his God is no lover of slander, nor likely to be propitiated by the devotion of a worshiper who invokes him in the act of bearing false witness against his neighbor.

And I leave with you, my constituents, this narrative; first, as a sample of the common mode of warfare and kind of weapons used by my unrelenting adversaries in Congress against me, and to apologize to you, for to you I hold myself strictly accountable, if, in having to deal hourly, daily, weekly, monthly, with such adversaries, in the use of such weapons, there have occasionally escaped unadvisedly from my lips words unfitting for your representative to utter, though not unfitting for those my adversaries to hear. And secondly, to assure you that I never did invoke or appeal to the God of battles for the decision of any contest, foreign or domestic, of my country—that far from it, all the most arduous and unremitting labors of my life, for the last seven years, have been to avert from you the imminent dangers of a war with Great Britain, and with Mexico, to which you were, and yet are—thank God, in a diminished degree—exposed. And finally that the very words which have been thus distorted from their true meaning, to bring upon me this foul reproach, were used by me, not for *invocation*, but in *deprecation* of any resort to the God of battles. As to the pretension of Mr. Irwin that the mere presentation of the *idea* of civil war was shocking to his nervous sensibility, I think those of you who were conversant with what was then coming to pass in Rhode Island, will be of opinion that these qualms of Mr. Irwin may be classed with those of the preacher who “never mentioned Hell to ears polite.”

I must do many of the members of the House of Representatives from the South the justice to say, that their treatment of me is dic-

tated far more by the passions and prejudices of their constituents than by their own. Were it not for this curse of slavery, there are some of them with whom I should be upon terms of the most intimate and confidential friendship. There are many for whom I entertain high esteem, respect, affectionate attachment. There are even those among them who have stood by me in my trials, and scorned to join in the league to sacrifice me as a terror to others. But I have been so often painted to the South, with the horns of abolition upon my head, that if I were to step South of the Potomac, the people would be looking down for the cloven foot. All this I endeavor to take in good humor as I may; and in that spirit, and as a sample of the feeling of respectable Southern *constituents* towards me, I will read you from a Charleston newspaper, a toast drank with unbounded applause, at a public patriotic dinner at Walterborough, on the last 4th of July, in celebration of the 67th anniversary of our National Independence.

“The glorious, pious and immortal memory of the great and good George Washington, not forgetting Generals Marion and Sumter, who assisted in relieving us from King George’s slavery, arbitrary power, stamp paper, and compulsory tea-drinking. May we never want a Democrat to trip up the heels of a Federalist, or a hangman to prepare a halter for John Quincy Adams. (9 cheers.)”

[At this point Mr. Adams’s constituents greeted this toast with a hearty shout of laughter.]

Friends and Fellow Citizens, let me end as I began, by tendering to you all my thanks—thanks for the honor you have conferred upon me, by repeated re-elections, of being the sole Representative, in the Congress of the United States, of the 12th Congressional District of Massachusetts—thanks for the liberal and candid support which you have given me, in the general discharge of my duty as your Representative—thanks for the special kindness with which you sustained and cheered me with your approbation and encouragement on two several occasions of severe trial, one in February, 1837, and the other five years after, in February last—occasions on both of which the fury of the whole mass of Southern slavery was concentrated on my head, for the avowed purpose of breaking down whatever of good name I had to leave as an inheritance to my children, in order that my signal ruin might strike terror to the heart of your every other Representative, and leave slavery the lord of the ascendant for all future time throughout the North American Union. The touching memorials of your generous sympathy, on the first of those occasions, remain fresh on my heart as on the day when they were displayed. But for that generous sympathy, to have perished without dishonor in the conflict, would have been the fairest destiny that could have befallen me—for dishonor, and the indignation of my countrymen, was the professed penalty which the patriot conspirators of the manacle and the fetters had prepared to inflict upon me for speaking in your name, and in the Representative Hall of the people, the language of freedom, in defence of the inalienable rights of man.

Then, too, as upon the present occasion, a Convention of delegates from the several towns in your district, met and favored me with an interview like the present—thanked me for the fidelity with which I had discharged the duties of my trust—cheered and encouraged me to proceed with the same persevering and undaunted spirit, and pledged to me their aid and support to every exertion to which I might be called in pursuing the same career, a pledge nobly redeemed by you through all the perils of my latest trial—and gloriously consummated by the distinguished reception which you have been pleased to give me on this day.

We are now to part—and, after another short tour of duty at Washington, the relation between us, the affectionate relation of Representative and Constituent, will cease, at least with a very large portion of you, forever. I can never again be the Representative in Congress of the Plymouth Rock—but the memory of it will remain with me while the vital blood shall circulate from my heart; and with it my still repeated thanks for all your kindness to me, shall ascend in the form of benizons to heaven on you and your children, to the latest generation.

After the applause that followed the close of Mr. Adams's remarks, the following Resolutions were offered by the Hon. Seth Sprague, Jr., and adopted by acclamation :

*Whereas*, The Hon. JOHN QUINCY ADAMS has for ten years been the Representative of this District in the Congress of the United States, and that relation being soon to cease by the formation of new Districts, agreeably to the late apportionment law of Congress,—we deem this a fit occasion for the expression of our feelings and opinions, in relation to the manner in which he has performed the duties of his station.

*Resolved*, That we have always cherished the strongest attachment to the union of these States, and would always indignantly frown on any attempt to alienate any one portion of the people from another; that we disclaim all wish or desire to infringe on the constitutional rights of other States: And we cannot but view the violation of rights secured to us by the Constitution of the United States, by sister States, and the denial of the right of petition by Congress, as tending to consequences destructive to the best interests of the Union.

*Resolved*, That a petition is the most humble and respectful mode in which any people can make their wishes and grievances known to the rulers of a nation, and we cannot degrade ourselves by asking as a favor, that which the greatest despot does not refuse the meanest of his subjects: that the Congress of the United States, in refusing to receive the petitions of our citizens, has been guilty of an unwarrantable and arbitrary assumption of power, a grievous wrong, in violation of constitutional right: that the Hon. John Q. Adams, in resisting these encroachments, and nobly and fearlessly contending against them, is entitled to our warmest thanks and lasting gratitude;



that the people of this Union owe him, and posterity will award him, this homage and gratitude for contending for a principle, the denial of which strikes at all true liberty.

*Resolved*, That the watchful care for the well being of this nation, manifested by our Representative, in his warning voice against the design of a war with Mexico, and his deep foresight, and profound wisdom, in exposing the designs and preventing the annexation of Texas to the United States, has saved the country from internal commotion, and from consequences which every friend of humanity must have deplored.

*Resolved*, That the attempt of a few members of the House of Representatives to censure and degrade our aged and venerable Representative, for the performance of that which he considered his duty, and which was his constitutional right, was a violation of individual privilege. We admire his masterly defence—we congratulate him on his victorious and complete triumph over his assailants.

*Resolved*, That the assiduous and untiring devotion of Mr. Adams to the duties of his station, his fidelity to the interests of his constituents, his utter fearlessness in exposing error and defending truth, excite emotions not easily expressed; and though we may not all remain his constituents, it is ardently hoped that we, and all our fellow citizens, may for many years reap the fruit of his long experience, his profound knowledge, and his matchless talents in the Councils of the Nation.

The Convention dissolved after the singing of the following ode, written for the occasion, by the Rev. John Pierpont.

### ODE.

*Sung by the Constituents of JOHN QUINCY ADAMS, on his return from Congress, September 17, 1842.*

Not from the bloody field,  
Borne on his battered shield,  
By foes o'ercome,  
But from a sterner fight,  
In the defence of Right,  
Clothed in a conquerer's might,  
We hail him home.

Where Slavery's minions cower  
Before the servile power,  
He bore their ban;  
And, like an aged oak,  
That braved the lightning's stroke,  
When thunders round it broke,  
Stood up, A MAN.

Nay—when they stormed aloud,  
And round him, like a cloud,  
Came, thick and black,  
He, single-handed strove,

And, like Olympian Jove,  
With his own thunder, drove  
The phalanx back.

No leafy wreath we twine,  
Of Oak, or Isthmian pine,  
To grace his brow;  
Like his own locks of gray,  
Such leaves would fall away,  
As will the grateful lay  
We weave him now.

But time shall touch the page  
That tells how Quincy's sage  
Has dared to live,  
Save as he touches wine,  
Or Shakspeare's glowing line,  
Or Raphael's forms divine,  
New life to give.

