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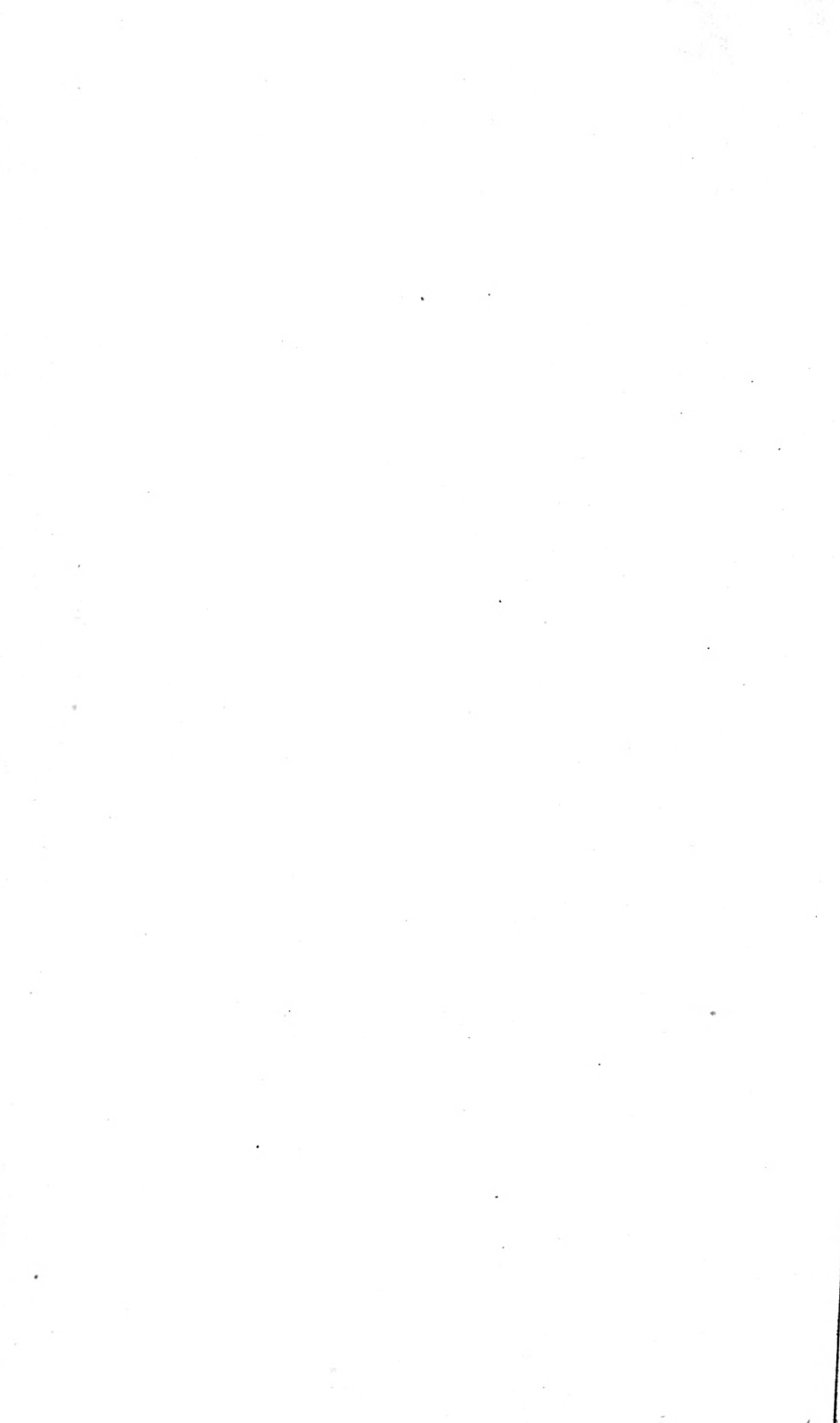


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LEADING INCIDENTS IN THE LIFE

OF

HENRY CLAY

HIS PATRIOTISM, STATESMANSHIP, AND
ELOQUENCE

An Address

BY

ERASTUS BROOKS

Before the NEW YORK HISTORICAL SOCIETY, April 6, 1886

AND

Before the PENNSYLVANIA HISTORICAL SOCIETY, May 14, 1886

Firm in the right, implacable to wrong,
* * He knew no North, no South, nor East, nor West ;
But the whole country held his patriot soul,
And wore it like a jewel on her breast.

—ANN S. STEPHENS.

NEW YORK

TROW'S PRINTING AND BOOKBINDING CO.

201-213 EAST TWELFTH STREET

1886

STATE OF NEW YORK

IN SENATE,
January 10, 1907.

REPORT
OF THE

COMMISSIONERS

OF THE LAND OFFICE

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LADIES AND GENTLEMEN OF THE HISTORICAL SOCIETY
OF PENNSYLVANIA:

I am asked by your society to recall some of my recollections of HENRY CLAY—the great “American Commoner,” as he was for so many years called and known. This service, while it is for many reasons a very pleasant one, is for other reasons the source of sadness. Henry Clay’s fame and fate recalls the story of the fabled Titan, who, notwithstanding his many gifts to mankind, was doomed to suffer many agonies. Unlike so many public men of the present day, he was never rich, and almost his only possessions were those which belong to great self-denial and to the highest character. My special interest in him was the natural result of his great kindness to young men, and to me especially when a very young man—a kindness beginning in the winter of 1835–36, the winter of the great December fire in the city of New York, and of the suspension of specie payments by the United States Bank, events leading to important legislation, special and public, the former for the relief of the merchants who suffered most, and the latter to financial legislation affecting almost every form of business, and which in time gave to the country a more national currency and one wholly free from the controversies of the present time.

The time named was when the country was represented in the two Houses of Congress by a class of men some of whose names will survive as long as the country lives. What Patrick Henry, John Marshall, the elder Adams, Jefferson, Hamilton, and Madison were

as civilians in one era of the country's history, were the names of Clay, Webster, and Calhoun in another generation, and close on to this period were the names of Lincoln, Douglas, Everett, Winthrop, Preston, Berrien, Southard, and a score of kindred spirits. All save Winthrop are now dead; and all of them, then as now, prove that genius, talent, and patriotism are in no sense sectional or geographical.

As an observer and chronicler of events for some sixteen consecutive sessions of Congress, it was my good fortune to be familiar with public life at the capital of the country fifty years ago, and an observer of its public men. I shall therefore speak of them, at the risk of being called an "old fogey,"—to which appellation for a great many years I have had no objection, as old fogeyism resolves itself, with me, into the belief that it simply means "hold fast to that which is good," "cease to do evil, and learn to do well." In this view, the kind of men who represented the Government thirty, forty, fifty, and sixty years ago either do not now exist or the public service has in these years sadly degenerated and changed.

" I HAD RATHER BE RIGHT THAN BE PRESIDENT."

Henry Clay was the chief among the men in Washington whom I knew both from observation and study. While he had not the sententious brevity of Calhoun, not the solid learning, logic, and condensation of Webster, he had what I may call an aptitude and fitness for public service which eclipsed all other men. He possessed courage, earnestness, conviction, self-reliance, embodied in a force of purpose and strength of character which made him, to me, the one man of the Senate, and for a long period of time, in all re-

lations of personal politics, the foremost man of the country. In all that belongs to patriotism, no man was before him.

I recall one incident in the speech where Mr. Clay said, "*I had rather be right than be President!*" The old Senate Chamber, now the room where the Supreme Court meets, which, compared with the present, was but little more than a very large parlor in a large private dwelling, was thronged in door-ways, galleries, on the floor, behind the Vice-President's chair, and hundreds tried in vain to coax, force, or hold an entrance. The chamber was then open to ladies. The time was the usual first or long session of Congress, and this one preceded the nomination of the candidate for President. The friends of Mr. Clay were intensely interested in the speech to be made, and fearful that words spoken in debate would injure his chances for the nomination. He never had any concealments, and was then as clear in his words and work as the sun in the heavens.

Whether on or off the floor, when he took part in debate, he was sure to say just what he thought of the fire-eaters of the South and the extremists of the North. At the time named I was chairman of the Whig Young Men's Committee of the city of New York, and having the right to the floor (the rules are much more strict now), I ventured to whisper into his ear, in an impulse of real love for the man, the deep and general anxiety felt by the Whig Young Men of New York, and of the country, that nothing should be said by him that could by possibility defeat his expected nomination. One of Mr. Clay's penetrating looks, and one that meant to me what Milton calls "expressive silence" in reply, was the only answer to my appeal. This speech, as the result soon made manifest, was in no sense a politic one for a candi-

date for the Presidency. In the spirit of his Alabama letter, it spared neither men, nor party, nor sections of country where censure was deserved. For himself, with an earnestness and honesty and force of will in voice and manner that electrified those who heard him, the conclusion of the whole matter was: "*I had rather be right than be President!*"

And when all was over, and congratulations ended, "calm as a summer's morning," he came to the desk where I was standing, and in just two sentences said, first of all, "I hope you were not hurt by my silence before I spoke;" and, secondly, now that I have spoken, "I trust I have said nothing to wound or hurt my young friends in New York, or my friends elsewhere."

Mr. Clay never willingly wounded foe or friend. His nature was most generous; and he never gave blows where they were not provoked, nor in the absence of an opponent. In open Senate I have heard from him the frankest apologies for words spoken in the heat of debate. He knew literally "how to abate and how to abound." In any necessary conflict he rejoined as to a foeman worthy of his steel. In methods of attack and defence he was unrivalled. When Martin Van Buren presided in the Senate, he was often, and from good-humor alone, the torment of the Vice-President; but, like so many lawyers in conflict at the bar, the hard words were forgiven, if not forgotten, just when and where the argument closed. Mr. Clay's tender of his snuff-box was always an olive-branch and a peacemaker. Once, in a manner all his own, pointing "to the Senator in the corner," as Mr. Clay called an elderly Senator who had greatly provoked him, he quoted the two lines:

“ Old politicians chew on wisdom past,
And totter on in blunders to the last.”

The Senate was convulsed with laughter as Mr. Clay's opponent, repeating the words in part, said, suiting the action to the words, “ I t-o-t-t-e-r, sir—I totter, sir !” Literally the words did totter, if not the limbs of the much-offended Senator. Mr. Clay at once, feeling the wound he had made, made a graceful apology, and restored good-humor to the Senate.

The same Senator, after a previous attack, little dreaming of the return which would follow, was obliged to meet with this ready response from Peter Pindar :

“ Thus have I seen a magpie in the street,
A chattering bird we often meet,
A bird of curiosity well known,
With head awry,
And cunning eye,
Peep knowingly into a marrow-bone.”

The more hostile shafts thus aimed, no matter how deadly the point, usually fell upon a breast of steel.

PECULIARITIES, PRINCIPLES, AND OPINIONS.

“ You do not remember my name ?” said a lady friend to him, upon one occasion. “ No,” was the prompt response ; “ for when we met, long ago, I was sure your beauty and accomplishments would very soon compel you to change it.”

With all Mr. Clay was ever ready with an answer ; with men he was strong and persuasive ; with women bland, gentle, and respectful ; and with children child-like and loving.

He possessed a very independent spirit, and believed in an independent judiciary and in all the moral forces of

the common law ; and if he ever departed from this principle, it was when he once saved the life of his client in defence of the legal dictum that "no man can be put in jeopardy twice for the same offence." The opposing counsel took exceptions ; the judge wavered. Mr. Clay enforced his position by precedents and authorities ; and his strong will-power made him master of the case, the subject, and the decision. In another case, where he had saved the life of an undeserving son, the mother, when the verdict of acquittal came, rushed into his arms and almost smothered him in embraces and kisses, to the great amusement of the open court. His control over counsel and audience, all in one, was absolute, absorbing, and astonishing ; and often this control in quick succession led to eyes bathed in tears and faces wreathed with smiles. There was a charm in his manner, his voice, and even in his assurance, for in each he was most captivating. Once, pausing for a moment, in an argument before the United State Supreme Court, and probably more than once, advancing to one of the justices, who held a snuff-box in his hand, airily took a pinch, remarking : "I see that your honor sticks to the Scotch !" Justice Story said of it : "I have been on this bench for thirty-four years, and I do not believe there is a man in this country who could have done that but Henry Clay."

Upon questions of State rights, as defined in the letter of the Constitution ; the tariff, except in 1820, when Mr. Webster was opposed to protection ; the abridgment of Executive power, in the form of the Jackson vetoes—the two Senators were in accord, though in early public life they were not of the same party. Later on in life, with the same ambition for the same high honors, they were not always in harmony. In the forum of debate in Congress, Mr. Clay seemed

to be less a man of study than of close observation, except when public duty imposed upon him the task of careful investigation—as when chairman of the Finance Committee, framing, exposing, or defending a revenue and tariff bill. He aimed to be properly informed upon whatever subject he discussed; and especially was this true in the court-room, where in early life he was a brilliant and almost uniformly successful advocate and counsellor. In criminal cases he was unrivalled, and in this practice he never lost a case. Whether in the Senate, as a leader in debate; in the House of Representatives, over which he presided; or before the bench of judges, whatever the subject or the occasion, his voice had a magnetic charm which compelled attention and awakened general sympathy and interest.

I have often heard Mr. Clay, using the language of another, “thunder in anger, soften in sorrow, tremble in fear, and melt in love.” He had a quick, sharp eye, a keen and ready ear, and at times, changing “from grave to gay, from lively to severe,” he seemed to me to illustrate all the passions pictured in the famous ode of Collins.

The accomplished Madame de Staël, whom Mr. Clay met at Paris—first at her own home, and later on in London—was charmed with her American guest, and introduced him to the Duke of Wellington just before the battle of Waterloo, which took place while he was in London. This accomplished woman had taken the part of the United States in the war with England. And when the Duke and American commissioner met they had their sallies of wit. The New Orleans victory was used as an offset for the greater conquest over Napoleon at Waterloo. Mr. Clay did not return to London until he was strengthened by the brilliant conquest of General Jackson over Pakenham, after the articles of

peace were signed. "Now," he said, "I can go to England without mortification." Soon he left Europe, and on September 15th resumed his seat in Congress.

You have perhaps heard of that famous political firm known, more than fifty years ago, as "John Holmes, Felix Grundy," and a name perhaps not to be mentioned to ears polite. Holmes was from Maine, Grundy from Tennessee, and the name of the third party in the partnership is more familiar than either of the two. Grundy was a power with General Jackson, when Mr. Clay said to him, "Tell General Jackson, if he will sign the Land Bill, I will pledge myself to retire from Congress and never enter public life again!" Mr. Clay's land policy, I need not say, was not for syndicates, nor corporations, but for the people.

My friends, I have meant this address, as you may see, not so much to give the life of Henry Clay in birth and education, as to illustrate and interest you in his public character. Something, however, is due to the beginning of the end I have imperfectly traced. His father was a clergyman of the Baptist faith. His mother he loved with the tenderness of a child. His birthplace was in Hanover County, Virginia, and in a body of land known as the Slashes. In early and later life, as success began to crown his work, he was known as the "Mill-boy of the Slashes;" and this meant that in his work he was familiar with the corn, the grind, and the meal taken to and from the mill. Nor was he a stranger to the plough, the spade, the hoe; he used them all. At fourteen he was a clerk in a drug-store at Richmond, and as poor as poverty could make him. One of his sad exclamations in early days was, "I am without patrons, without friends, and destitute of the means of paying my week's board;" but from the beginning he was never without ambition.

“My inheritance,” he once said in public, as a stimulus to other young men born as poor as himself, was “indigence and ignorance,” and as the fifth son of a poor country clergyman, a hundred years ago the parson was indeed “passing rich with £40 a year.” And books, fourscore years gone by, were almost as scarce as ready money. But all this time, and onward, Henry Clay went up higher, from the boy at the mill, the plough, the spade, and the hoe, to the city clerk, and then as the student at law, earning his way from day to day. In the midst of this kind of toil, he said: “I remember how comfortable I thought I should be if I could make £100, Virginia money, per annum, and with what delight I received my first 15s. fee.” And then he adds, with true joy, “My hopes were more than realized; I immediately rushed into a lucrative practice.” A joint friend, in a beautiful poem to his fame and memory, has said of him :

“He early learned the mighty power of truth;”

and so, in the end,

“Close to the gates of Heaven he calmly fell,
And there the angels found him when they came.”

Mr. Clay often reminded me of the elder Pitt. Both were poor and of no family importance in politics. Pitt, with an income of £200 a year, and scorning all those forms of bribery which had made Walpole a power, and Newcastle rich, was the great Commoner of England, as Clay was the great Commoner of America. Both of them were equally patriotic, faithful to the nation and to party, conciliatory to friends, unyielding to enemies, and each at times assuming and arrogant;

but withal persuasive, magnetic, and supreme in control. Their flashes of genius in the forum were like the lightning and the thunder in the sky. In the storms of debate, Clay, in the Senate, and in the House, often recalled to my mind Chatham before Parliament, when, in the War of the Revolution, he cried out for the King, and Lords, and Commons, and for all to hear, "You cannot conquer America! If I were an American, as I am an Englishman, while a foreign troop was landed in my country, I would never lay down my arms; never, never, never!" and it was just this spirit that made the two men alike. Often they were hated by the party in power, but at the same time well beloved by people not bound to those in power.

Upon provocation, and sometimes without it, there was a constant fire within, and the fire flashed through a pair of eyes remarkable for their brightness. His large brow indicated his brain, and his tall stature, broad mouth, and singular face, which in repose was without real beauty of expression, gave evidence in look and force of the man upon whose shoulders it rested. A homely face at rest, it was full of life when Mr. Clay was upon his feet in debate. Nearly all human voices in the same families in some form harmonize. Mr. Clay's in tone was all his own for sweetness and distinctness; it seemed to enter the very hearts and minds of those who heard it. Someone said, in 1842, when he left the Senate, that his voice was like a benediction from Heaven. The words which came from his lips were, as a rule, born of "thoughts that breathe" as well as "words that burn."

I recall many of Mr. Clay's speeches, from 1835-36 on to his retirement and touching farewell in 1842, in the Senate. Like John Quincy Adams, he died, if not in the building of the old Capitol, at the seat of the Fed-

eral Government, in the National Hotel, in close and daily communion with it and its representative men.

HENRY CLAY AND LOUIS KOSSUTH.

It was in this his last sickness, in this hotel, that he had his interesting interview with Louis Kossuth, whose visit to the United States was one of the remarkable events in the history of the country. Mr. Webster, when asked by an eminent brother lawyer in New York "What he thought of it?" answered that the effect it was having upon the people was "like the visits of the sea-serpent through the country!" No man for a few months was more popular than Kossuth, and his mission seemed to him a complete success, even long before he had left the harbor of New York, at Staten Island, and received his enthusiastic reception from the bar in the city, from the clergy, the people, and the leading political clubs. His purpose was by argument or eloquence to persuade, or through public opinion compel, national interference in behalf of Hungary against Austria. When I met him in his chamber parlor, then at Howard's Hotel, at the corner of Broadway and Chambers Street, New York, with an address and contribution from the Young Whigs of New York City, he was reading Irving's "Life of Washington," and trying to find words or conclusions where Washington might perchance unsay what he had taught in his farewell address—to "beware of entangling alliances with foreign nations." And here let me say, that for America wiser words than these were never uttered by mortal man.

Mr. Clay was always in sympathy with true liberty, always against despotism, always for free and independent States under the Federal Government, limited by

the powers of the written constitution. He had urged, and with a power which gave him the name at the time throughout the land of "the Apostle of Liberty," the recognition of the independence of South America; and Bolivar once wrote to him: "All America, Columbia, and myself owe our present gratitude for the incomprehensible service you have rendered to us by sustaining our course with a sublime enthusiasm."

" His words that like a bugle blast
 Erst rang along the Grecian shore,
 And o'er the hoary Andes passed,
 Will still ring on forevermore!
 Great Liberty will catch the sounds
 And start to newer, brighter life,
 And summon from earth's utmost bounds
 Her children to the glorious strife."

We see something of this spirit in the Greece of to-day—with Turkey at the front, and England, France, Italy, and Germany placing the Isles of Greece between the upper and nether millstone of autocratic and despotic power, and where five strong powers combine to crush the weaker nation for claiming her own in what belonged to her, and what most of these strong powers had guaranteed to her.

Mr. Clay would have been as glad to see Hungary free as he was glad to speak for South America and Greece; but he was never ready for political intervention with foreign powers, from which the Government, thanks to Washington and the wise international policy of his successors, has from its beginning been free. When, therefore, Kossuth plead with Henry Clay for material aid from the Government, the latter dealt with him as a father with his son. Kossuth now for the first time felt that his mission was a failure, and from that hour the sober second thought of the people

assumed its proper supremacy. The show of the "sea-serpent" was over, and he, who had entered the country like a chieftain leading an army and sure of victory, left it, if not unhonored, almost unknown.

The English critics have not been just to Mr. Clay. The part he took in the War of 1812-15, as peace commissioner with Adams, Bayard, Gallatin, and Russell, at Ghent, gave him prominence abroad and at home. He was earnest for the war, and for peace only upon terms which the splendid commission of which he was a part finally accepted. The English critic to which I refer says, of Mr. Clay's part in the treaty of peace, that "his acuteness secured for America some advantages."

Mr. Clay was also intensely national and especially anti-British upon the tariff, though Great Britain in the period of the early tariff was more for protection than for free trade. His words in behalf of Greece, in a resolution moved by Mr. Webster, and heartily seconded by Mr. Clay, were in warm sympathy for all the people of the world who were struggling for freedom. For Greece and South America, when Secretary of State, he secured the double purpose of sending ministers from the United States, and in one of the grandest letters in diplomacy he awakened the sympathy and efforts of the Emperor Alexander of Russia, first against Turkey, in behalf of Greece, and, secondly, through his minister at Spain, after nineteen years of war against South America States, in behalf of the independence of the Spanish republics.

As Secretary of State under Mr. Adams, Mr. Clay performed more labor and accomplished more in treaties, correspondence, and practical work than any of his predecessors in the same office. The charge once made, of "bargain and corruption," against him, because he

preferred John Quincy Adams for President to General Jackson or Crawford, and because Mr. Adams made him Secretary of State, was for a time, and in his very sensitive nature, like a dagger in his heart. Investigation proved its falsity; only political malice started the lie or repeated the slander. Both Madison and Monroe long before had tendered him a place in their Cabinets, and Mr. Monroe, whose policy he had at times opposed, and opposed in spite of appeals and protests, tendered him the full mission to England.

In all his civil life, even with such associates as Lowndes, Calhoun, Cheves, Webster, his qualities of character, and his work in the Cabinet, in the Senate and in the House of Representatives, as the minister of peace, as the defender of war, as counsellor for the right, and the enemy of wrong, his services were pre-eminent, and his face always at the front.

Two of the leading incidents in Mr. Clay's life were his conduct in the War of 1812-15, and, as I have said, his taking leave of the Senate, in 1842. The latter event was a life-long memory for all who were present. In the former, the two strong men against him were Josiah Quincy, of Massachusetts, and his constant enemy, John Randolph, of Virginia, the two men making one of the strongest alliances in the political history of the country. The Virginian was the Ishmael of the war, and the Massachusetts member acted as the Thersites of the council chamber. There had been the embargo which reduced the revenues of the country from sixteen to six millions of dollars. King, Commons, and ministers were insisting upon the impressment of seamen in American vessels, and of this last wrong Mr. Clay said, "No language can paint my execration of this odious system." For a time it was only his burning eloquence that touched the pre-

vailing stupor in Congress, and compelled the final declaration of war, the voting of men, and the urgency upon the sea of twelve line-of-battle ships and fifteen or twenty frigates. The Rubicon was now passed, and the war went on.

MR. CLAY'S TEMPER, POLICY, AND DUELS.

In recalling the life of Henry Clay, it would be an offence to true friendship to forget that he was twice the antagonist of his enemies upon what is miscalled "the field of honor." Once he had received, and accepted, a challenge from a United States district attorney, Colonel Joseph Hamilton Davies, who became offended because Mr. Clay accepted the clientage of a citizen after all the lawyers near him had, from absolute fear or dread of annoyance, declined the service of counsel. This United States officer had struck a tavern-keeper in Frankfort, Ky., and Mr. Clay, upon a written appeal for justice, accepted the case. The colonel argued his own cause, and his words, if possible, were worse than his blows. Mr. Clay suffered no client, black or white, bond or free, to be insulted. Often he retaliated, but always in the spirit of a man ready to defend the right. The United States colonel and attorney became incensed, and sent a note of warning to Mr. Clay during the trial. The prompt answer followed in writing, that, as the plaintiff's attorney, he would exercise his own judgment, and least of all accept advice from the enemy of his client. This answer at once called forth a challenge, when friends interposed, and in time secured a reconciliation.

Humphrey Marshall, a leading Federalist, which Mr. Clay was not, who wrote a "History of Kentucky," was

another of Mr. Clay's antagonists. Marshall's special vituperation was called forth by a characteristic resolution of Mr. Clay—offered in the Kentucky Legislature—which was in the spirit, and almost in the words, of General Washington to General Knox, written in January, 1789, asking Knox “to procure some homespun broadcloth at Hartford to make a suit of clothes for himself,” and adding in his letter these words: “I hope it will not be a great while before it will be unfashionable for a gentleman to appear in any other dress!”

Mr. Clay's resolution was that each member of the Kentucky Legislature, of which he was one, for the purpose of encouraging the industry of the country, should clothe himself in garments made in the country. Marshall denounced the resolution in the coarsest vituperation. Following the spirit of the times, Mr. Clay sent him a challenge. Three shots were exchanged. Each of the combatants were slightly wounded, when the seconds put an end to the fight.

I recall this duel because it grew out of a measure of public policy which for many years prompted Mr. Clay to be recognized as the father of the so-called “American system;” but the American system of that day, let me add, meant moderate duties on foreign imports, and the early manufacturers of the country were content with moderation.

More than once, and I commend this evidence to free traders and high protectionists, I heard Mr. Clay say that home manufacturers who could not live on twenty and twenty-five per cent. duties on foreign imports, with the additional advantage which belonged to the cost of importation on the sea, and often double transportation on the land, should not be supported by the Federal Government in the form of a direct tax upon trade.

The really sad surrender of moral principle on the part of Mr. Clay was when he sent his challenge to John Randolph. The provocations were insults deliberately made; words and manner were aggravating and offensive. John Randolph hated Henry Clay, and intended, according to the code, to compel what is called satisfaction from a more successful and more brilliant man.

In the House, with Mr. Clay in the speaker's chair, John Randolph upon the floor, and the latter in his full vigor of intellectual power and matchless sarcasm and invective, and what was called "the swearing devil that lurked in his tone and look," there was hardly room for both. Randolph was among the foremost opponents of the War of 1812-15, and the master of the anti-war party. Mr. Clay was leader and champion for the freedom of the seas against impressment, for a larger land force, though only 25,000 men were asked for, when 8,000 British troops were in Canada, and a strong body of men in the fortress of Quebec—a fortress which, as few were then likely to forget, was at one time the scene of the great discomfiture of American troops in the War of the Revolution, where Montgomery fell and the tide of independence rolled back.

The scourge of war, the praises of England, and the abuse of France under Napoleon were the arguments against the war before the House, but the masterly defence of Mr. Clay ended in a vote of 94 to 34 that the country was now prepared for war, and the impressment of seamen sailing under the American flag was declared to be piracy.

Mr. Clay's success now was one of Randolph's many grievances, and hence, later on, upon the grossest provocation, came the famous duel between these two eminent civilians. Mr. Clay, when the challenge came, was a member of the Cabinet, where there was no forum

of debate, no opportunity to reply. Mr. Randolph, then in the Senate, was the embodiment, not only of the most grotesque eccentricities, but the very essence of bad temper toward those who would not court his favor or accept his advice.

It is always well, where fair play and just opinions are to weigh in the balances of wise conclusions, to put yourself in the place of the person you censure. The epithets which Randolph uttered, when and where they could not be answered, were the excuse for the challenge sent, and for the duel fought. The parties met, fired, and neither of them was hurt. Mr. Randolph's body was saved from the fact that his thin and attenuated form was concealed in a morning-gown loosely worn and of capacious quantity. The robe was hit, but the man was unhurt. Mr. Randolph, with characteristic oddity, and perhaps I might more justly say, timely generosity, fired into the air; and so the duel ended. And after Mr. Randolph had fired, he advanced to Mr. Clay, held out his hand, showed the hole in his robe, and said: "Mr. Clay, you owe me a coat!" "Thank God," said the Kentuckian, "the debt is not greater!"

Long after, Mr. Clay, in an address to his fellow-citizens, made a confession which is worthy of remembrance, preservation, and obedience. And it is but just to say that this confession came when the duel was both the practice of men in Congress assembled and the sentiment of the Southern people:

"I owe it to the community to say, that whatever heretofore I may have done, or by inevitable circumstances may be forced to do, no man in it holds in deeper abhorrence than I do the pernicious practice of duelling. Condemned, as it must be, by the judgment and philosophy, to say nothing of the religion, of every thinking man, it is an affair of feeling about which we

cannot, although we should, reason. The true corrective will be found when all shall unite, as all ought to unite, in its unqualified proscription."

And Mr. Clay spoke just as strongly against the practice of gambling. Once urged to play a game of brag, on the Mississippi, his answer was "No," and this as far back as 1819. "I have not," he then said, "played for money for a dozen years," and he advised his friends, one and all, not to play for money.

HENRY CLAY AND AARON BURR.

The people of the United States who read and think seem to be unlearning some of their old prejudices against Aaron Burr. In the War of the Revolution, then a very young man, he was one of the busiest, bravest, and most useful of its defenders, and this alike with the United States Army in Canada and in the States. He had been a United States officer in the army, and Senator and Vice-President of the United States. His great offence was the killing of Alexander Hamilton in a duel, but not without the provocation of hard words. The worst crime charged against him was his intended, if not open, treason against the United States. The alleged offence was that he was one of a party of conspirators to divide the Union, and to establish an independent government, of which he was to be the chief. Mr. Clay was asked to be Colonel Burr's counsel, after he had been once arraigned and acquitted at Frankfort, Ky., where the judgment, except with the United States district attorney, was uniform that he was innocent. The prejudices against him were strengthened by the consequences of the duel, and he was a second time arrested, tried, and acquitted. Mr. Clay a second time was implored to become his counsel. Before accepting this unwelcome service, he received the solemn assur-

ance from Burr, in writing, that he had never taken any measure to dissolve the Union, to separate one or more States from the rest ; that he had never published a line upon the subject, through his own agency or with his own knowledge, nor promised a commission to any person for any purpose whatever ; that he neither owned nor controlled bayonet, musket, nor any single article of military stores ; had no design to intermeddle with the Government, and, finally, he added : “ I have thought these explanations proper, to satisfy you that you have not espoused the cause of a man in any way unfriendly to the laws, the Government, or the interests of the country.”

On this record, though just elected a Senator in Congress, Mr. Clay consented a second time to be Colonel Burr's counsel. The United States attorney submitted his second indictment, with evidence, to the jury ; and the jury answered that the bill was not true, and added the voluntary address that there was nothing in the evidence to justify the accusations.

The verdict was received by the people in and around the court-room with rounds of applause, adding to the popular the legal evidence that Colonel Burr was innocent. Mr. Clay shared in these honors of acquittal ; but later in life, after reading the evidence collected by Jefferson, and the letter written by Burr in cypher, and transmitted by Colonel Samuel Swartwout to the United States Army commander, General Wilkinson, believed that Burr had deceived him as to the fact of his intended treason ; and later on, upon receiving the tender of his hand in the court-room of the city of New York, in the presence of bench and bar, openly refused to take it. This act was, at the time, far more damaging to Burr's reputation than his acquittal by the jury of any court.

In more recent years, many who have scanned and

canvassed this evidence believe that Burr's ambition, if anything, meant a republic beyond the confines of the American States, and beyond Florida, which had been acquired from Spain, and beyond Louisiana, purchased from Napoleon, and probably a republic to be established in Mexico. Burr, Mr. Clay believed in his defence, intended to seize first upon Baton Rouge, and then in time upon the Spanish province beyond.

In the midst of the rage of party spirit under Mr. Madison, when Randolph and Quincy were the leaders against Clay, Florida was declared, by proclamation of the President, annexed to the Orleans territory purchased from France. The Federal party insisted that the territory belonged to Spain, that the proclamation was an act of usurpation, and that holding the territory by force of arms was an act of plunder.

The simple but masterly answer of Mr. Clay was that the first ownership was in France, which ceded Florida to Spain in 1762; and that in the year 1800, by treaty, Spain ceded the territory back to the French, which government, under the treaty of 1803 with the United States, sold it to this Government. This territory was indispensable to the free navigation of the Perdido, the Mississippi, and essential to the safe existence of the United States. The commerce of the Father of Waters, and the waters leading to it, Jefferson had the wisdom to see, Madison—always the warm friend of Mr. Clay—the forecast to hold, and Henry Clay the courage to defend, against all the sophistries of the old Federal party.

Of all the masterpieces of political wisdom, the peaceful acquisition of Louisiana, at the small cost of \$16,000,000, was the greatest, and in its results the grandest, for the country of all that had gone before, or has since transpired.

MISSOURI AND MR. CLAY.

It was John Randolph who twice voted against Mr. Clay, and with members from the free States, to kill the bill for the final admission of Missouri as a slave-holding State, after Congress had voted that Maine and Missouri should be received into the Union upon equal terms and under one act as slave-holding and free States. This was before the duel, and when Mr. Clay was speaker. Leaving the chair, Mr. Randolph accosted him with this proposition: "Mr. Speaker, I wish you would quit the chair, and leave the House; I will follow you to Kentucky or anywhere else!" The answer was that the proposition was very serious, but that he would discuss it the next morning in the speaker's room, where Mr. Clay defended the two compromise measures, one of which was defeated by Randolph's co-workers, composed of the class of men whom he once called *dough-faces*. Before this interview closed, these two men agreed to forget the past and to be at peace for the future; but with Randolph this was a moral impossibility. At their next meeting the Virginian forgot his promise, and the two members neither spoke to each other nor exchanged salutations to the end of the session.

All along he had argued that the adjustment of the Missouri conflict would in the end elect Mr. Clay President of the United States. He had failed to persuade him to leave the chair, or to imitate the example started when Southern members met together to resist the reception of anti-slavery petitions. He had fought against peace and compromise inch by inch, day by day; and, beyond this, he had become melancholy and morose, as he gazed for the last time upon the countenance of the brave and beloved Decatur, who had been killed in

a duel. Mr. Clay was assured by members of the Senate and House that Randolph, who still heartily hated the Kentuckian, desired, in his great excitement, to see his antagonist dead as Decatur died, and by the same code of honor. The bark in this respect soon proved much worse than the bite, but the bite was deep and venomous.

THE MISSOURI CONTROVERSY

was the greatest national struggle previous to the Rebellion. In Congress the sectional strifes from 1850 to 1861 were not equalled by the fiery debates of 1818 to 1821. Thrice after admission into the Union, by the vote of a previous Congress, the Senators and Representatives from Missouri had been refused the right of representation. The Senate voted one way for the majority of States, and the House of Representatives a different way for the majority of the people.

Business in Congress was at a dead-lock, and legislation practically suspended. By a vote of 83 to 80, Randolph and two other Southern members apparently bent upon like mischief, voted with the North, and defeated the compromise report made by Mr. Clay as chairman of the special committee of thirteen. The previous report, made a month earlier, admitting Missouri without conditions, had been rejected, and the two Houses became hopelessly divided. The members, Northern and Southern, were in a state of temper that seemed to make reconciliation, by joint majority of the two Houses, or by any concurrence of opinion, impossible. Senate and House were much farther apart than the Lords and Commons of England in 1885, and since Slavery in all its aspects, and especially the ordinance of 1787, was involved in the debate. Free States once in the Union,

regardless of this ordinance, it was held, could introduce and maintain slavery at their own pleasure.

In the midst of these contentions, Mr. Clay, whose necessities and business at home compelled his absence from Washington, was implored to return to the capital, and by his long absence he came better prepared than if he had taken part in the storm that raged during the previous weeks of the session. He was for the admission of Missouri without conditions, as the right of the people; but, as in the period which later on threatened nullification, he knew that neither threats, nor jealousies, nor sectional and personal animosities could force Missouri into the Union; and he knew, also, that then, as in 1860 and 1861, there were men of hot blood who talked, threatened, and some of whom meant to establish a Southern Confederacy. It needed now a true man and a brave leader to direct the nation in its crisis. Mr. Clay was calm, brave, intensely earnest, and unquestionably patriotic. He had the respect of the best men of the two Houses. When a committee of twenty-three were chosen by ballot, he was permitted, and requested by his fellow-members, to select this committee. His choice was accepted; and, as the result of his patience, intelligence, and the confidence reposed in him, he submitted the proposition, which was adopted after brief debate by a vote of 87 to 81 in the House, and promptly concurred in by the Senate.

The conflict was now over, after an excitement hardly equalled in the session when the elder Adams was made President, when Jefferson defeated Burr by one vote in the House, or the more recently eight to seven votes when Congress counted out Governor Tilden and counted in Governor Hayes, but without counting all the votes of States and people. It is

hardly necessary to say that such precedents are both startling and dangerous, and leave wounds that time cannot wholly heal.

What Mr. Clay finally presented for Missouri was the restriction of slavery to all territory south of the line of $36^{\circ} 30'$, and free territory everywhere north of this line. This, indeed, later on, was the spirit of the compromise measures of 1850, the support of which politically killed Mr. Webster, and the failure of which almost broke Mr. Clay's heart. Together, and apart, they were practically beaten in the Senate. It was destiny—or providence, if this is a better word—that slavery should come to an end, and if not peaceably, then by civil war and rebellion; and it was a double interposition of this same providence that the States which provoked the war should destroy the very institution which caused the war.

MR. CLAY'S ANTI-SLAVERY SENTIMENTS

were as old almost as the commencement of the century. Born in 1777, as a young lawyer at the age of twenty he found the people of Kentucky, his adopted State, engaged in the choice of delegates to frame a new constitution for the State. One of the provisions to be submitted to the people was the gradual emancipation of the slave population. By birth a Virginian, he stood where Jefferson had before led the way in his own Commonwealth as an honest, earnest, eloquent friend of emancipation. He spoke and wrote for emancipation, but failed in Kentucky, as Mr. Jefferson had failed in Virginia. Later on in life he sought partial relief for the existence and growth of slavery through the American Colonization Society, of which he was long the president. But where one born a slave was sent to

Africa a freeman, a hundred were born for continued bondage. No man ever spoke with more power of the vices of slavery, and of its possible consequences to the country. I have heard him more than once pray—and with all the earnestness of his intense nature—that he might not survive the American States separated or wrecked, and the old Union dissolved. This result, as he believed, was the greatest possible national calamity, and death at last came to his relief eight or nine years before the temporary separation of the Southern States, or in June, 1852. If the Union fell, he believed that slavery would be the cause of the downfall.

The Constitution, he held, maintained this institution; and this was his only reason for its continued existence, and this he would have changed if he could, as the slave trade had been abandoned years before.

My limited space is nearly finished, and with almost as much unsaid as one who knew the man would like to record as his remembrances of one in voice, manner, and courage next to Patrick Henry, if not equal to him, the greatest national orator of the country. It was Clay who said, when it was proposed, in the years of the War of 1812-15, to give certificates to American seamen, to prevent the boarding of American ships on the open sea by British commanders for purposes of impressment, that "the colors which float from the masthead of our ships are the credentials of our seamen," and he closed this speech with these memorable words: "If we fail, let us fail like men, and expire together in one common struggle fighting *for free trade and seamen's rights.*"

Then, as always, whether against the alien and sedition law, for freedom in Greece and South America; whether for war with Great Britain, which in 1811 he said must be a "war of vigor, and not a war of languor and imbecility," or for an honorable peace with the

mother country ; for a system of internal improvements which opened the way for post-roads across the Alleghanies, or for free inland navigation—his voice and votes were for what was wholly American, against what was in any sense alien, sectional, or personal. He was against the annexation of Texas when annexation was most popular at the South, against what was called squatter sovereignty when most popular at the West, and for the constitutional rights of the Southern States ; and this made him unpopular at times and many times in the North and South, and in the West and East. To be a successful politician one must too often be all things to all men. Mr. Clay was never, never, that kind of a man ; and hence his double defeat both in nominating conventions and before the people when a candidate for President.

Mr. Clay's fame is associated with three great national compromises, all now belonging to the dead past. I have named, with some important facts in history, the Missouri settlement of 1820-21. In the great domestic trouble of 1833, this "father of the American (protective) system," when the duties on foreign imports largely exceeded twenty per cent., had them reduced ten per cent. in each of the years 1833, 1835, 1837, and 1839, and one-half of the remaining excess in 1841, and all of the excess at the close of the year 1842. Such a revision of the tariff substantially now, if the strife between capital and labor could be justly closed, would restore peace to the business of the country. Mr. Clay's peace-offering and argument in 1833, and in 1850, was in brief in these words : "I am for mutual concession, for peace and harmony. I want no civil war ; no sacked cities ; no embattled armies ; *no streams of American blood shed by American armies !*" The war, however, was simply postponed from 1833 to 1861, and

the efforts of Clay in 1850, with all the strong support from Webster, Cass, and Douglas, to end the strife by peaceful measures, were failures.

To illustrate both the hope, and the hope deferred, early in 1848 Mr. Clay visited Philadelphia, where he was welcomed at the station by more than one thousand citizens on horseback, and escorted to his hotel; and all along the line, from the walks and the public roadway to the house-tops, cheered by strong voices from men of warm hearts, and with a presence of people bearing flags, and banners, and emblems, that showed both love and admiration for the man. His figure, over six feet in height, and now as erect as in the vigor of youth, recalled these noble words, spoken long before: "What is a public man worth, if he will not expose himself, on fitting occasions, for the good of his country?" In this spirit, and for State reasons, he opposed Crawford and the election of a military chieftain, because, in the light of history, "it was the fatal road which has led every other republic to ruin!" On this same occasion, in this same City of Brotherly Love, he was welcomed at Independence Hall, where the people thronged the square to receive him; and as the women could not, in such crowds, show their admiration, more than five thousand assembled at the Chinese Museum, to give public proof of their respect, as the mothers and daughters of the city. His response was a brief address on "Women's real Rights." He did not, however, believe in the woman's rights as now called for by the select few from the very many women of the present day. When the majority of women ask for this, the majority of men will give what is asked for, and probably not before.

A few weeks later, in this same Chinese Museum, upon a question of political expediency practised by

men who falsified their professions of preference and affection, Henry Clay was defeated, and Zachary Taylor nominated, and in the following November elected, President of the United States. The shortness of his term of service, the inexperience and unfitness for public life of even this brave, successful soldier for such a place in the highest civil service, gave one more evidence of the uncertainty of human life, and of the ingratitude of parties and people to those who have served them best. The more recent tragedies in high places, however, have left much deeper wounds than all the calamities and failures that had gone before.

MR. CLAY ON HIS DEATH-BED.

Mr. Clay was a long sufferer in Washington near the close of his life. Of the final dissolution he had no fear, but there was a dread of prolonged sickness and physical suffering. When told by his physician, Dr. Jackson, of Philadelphia, after earnest inquiry, what the end would be, the welcome, wise, and sagacious answer was that he would pass out of the world as quietly as an infant falls asleep in its cradle. "You give me infinite relief," was the grateful reply, and death had now no more terrors for him. He was just beyond his seventy years, and soon, and very soon, passed away the man whose countenance showed intense vitality, and in the midst of great bodily weakness the calmness of perfect self-possession.

Long before John Quincy Adams had declared him to be, what I may now repeat, "the unrivalled orator, the able and successful negotiator for his country in war; and we may all believe, at least all who knew him," he added, "among its wisest, bravest, and truest friends, in all its years of peace, from the beginning to the end of his public life." And as the end approached, the man was ready for the summons.

“ And so, with an unflinching trust, he went
 To that mysterious realm where each shall take
 His chamber in the silent halls of death, . . .
 Like one who wraps the drapery of his couch
 About him, and lies down to pleasant dreams.”

If my rapidly drawn sketch of one of the really great men of the country—great intellectually, and great as statesman and patriot by the confessions of all who knew him—seems to bear too deep or too high a coloring, you must pardon something to that spirit of liberty which was born of the friendship of youth for old age, to the remembrances of many personal kindnesses and numberless courtesies now revived in the years of my own advanced life. These recollections naturally grow with growth, and strengthen with passing years. But my case was not one by itself. It was a part of the man, and I speak as one of multitudes who knew, and therefore loved Henry Clay. Such memory never dies. In the treasures of my own thoughts what you have heard was written, with one of Powers' grand busts of Henry Clay in my library, a picture of the homestead of beautiful Ashland and its owner in my own chamber, and upon my desk, as a keepsake, the bronze medallion bearing upon one side: “HENRY CLAY,” and underneath his face the words “Born April 12, 1777; Died June 29, 1852.” On the other side his right hand presses a shield, and on it are the words of the compromises he proposed, and in large Roman letters, above all, I read: “*The Eloquent Defender of National Rights and National Independence.*” Supporting the shield is the one most impressive national word, alike for the States, for the nation, and for the people who make States and nations, the word “Constitution”—that Constitution which is the source of our civil liberties, the defence of our privileges, and the only real bond of an honorable and enduring American Union.



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