

A

REVIEW

OF THE

LATE CANVASS,

AND

R. WICKLIFFE'S SPEECH

ON THE

"NEGRO LAW."

BY C. M. CLAY.

SEPTEMBER 25, 1840.

LEXINGTON:

N. L. FINNELL, Printer---Intelligencer Office.

1840.

res. 7585.72 no. 14

TO THE PEOPLE.

You are not unapprised, my countrymen, that since you presumed to elect me to the Legislature over R. WICKLIFFE, Jr. that I have been the subject of unceasing ridicule and denunciation, both in private and in public. So long as the Wickliffes confined themselves to sneers and unfeeling depreciation, I have studiously declined noticing their unprovoked attacks; believing that such exhibitions of mortified vanity would, in the eyes of all honorable men, sink them—not me. But your late Senator, not satisfied with denouncing me from the rostrum, and through his organ the Observer & Reporter, as if exasperated by my forbearance in not replying to his philippic against me, has undertaken to prostrate me in the favor of the people, by publishing what may be termed “a book to write R. Wickliffe, Jr. into a majority, and to destroy me politically forever.” Has the Observer & Reporter forgotten that his ungentleman-like attack upon the Hon. R. HAWES was resented by almost this whole people? Defamation of that elevated gentleman has caused *one Wickliffe* to be ostracised! This last attempt to defame me, though “a politician of low degree,” can hardly elevate *another W.* in the affections of the same people. This is not the first time that your late Senator, losing the dignity which partisan warfare ever imposes upon chivalric gentlemen, has volunteered to pour out his poisonous malevolence upon the head of his destined victim, regardless of *truth* and *decency*. His calumnious letter upon Amos Kendall, drew from that gentleman a retort of such bitter irony, scathing sarcasm, and *dunning truths*, that all parties, moved to pity, cried spare him, Junius!—though Gods and men acknowledged the justice of the punishment.

The *dead* have not escaped the prolonged wrath of this *destroyer of men*; all his insidious compliments heaped upon the virtuous and patriotic Green, cannot make amends to his manes for this attempt to damn him in the minds of posterity, by branding him with the modern epithet of “*Abolitionist*.” Breckinridge too, has been summoned from his exile, and borne in chains to grace your Senator’s shameless triumph. Infatuated man, how dare you conjure up the ghosts of your departed victims? How tell us that this, and this, and this noble and gallant son of our beloved State, has been struck down in the pride of youth, and usefulness, and glorious hope, by thy red right hand? Though all should in

sorrow admit the justice of the sentence, unhallowed shall be the name of the *executioner* in the hearts of Kentuckians forever!—Fellow-citizens, I am young—a stranger, as yet lightly grounded in your confidence, long since deprived of the advice and protection of a father, I stand unaided and alone: the odds are against me. Were I that creeping thing which your Senator would make me, I might indeed tremble at the stern array of power with which this old and numerous, and wealthy family now threaten me. But when I reflect, I have ever trusted to the justice of my cause and the good of my country as the true foundations of a glorious life; when I remember that the waves of popular indignation have rolled over me, and that I stood firm till their delusion passed and I was again restored to the favor of the people;—when, above all, I look upon the men whom I represent—the soil upon which I tread, this old Fayette, this “breeder of noble bloods”—shall I falter? “shall I be frightened when a madman stares?” No! “By all the Gods, though it do split him, he shall digest the venom of his spleen!” R. Wickliffe begins by saying that he stands before you “for trial.” Who arraigned him? himself! Who prosecuted? himself! Who advocated his cause? himself! Who was the judge? who the jury? himself!—and at last who was condemned? “The gentleman from Madison!” Will not the public be astonished at such a conclusion? Will your Senator stand acquitted in your judgment, when under the pretence of defending himself from—no one knows what—charged by “a clique”—no one knows whom—he accuses me by insinuation of perjury; calls me the “orator of inquisitors,” the enemy of Lexington; a secret personal foe; an agitator without spirit; a liar systematically; an Abolitionist at heart;—in a word, the enemy of my country, regardless of the property and lives of the people! If I do not unharmed, hurl back these poisoned weapons, and fix their deadly points deep in the bosom of him who so impotently cast them, then let me stand condemned in the estimation of all true men forever! “And on such *declaration* or *oath* was permitted to vote at the election of 1839, for members of the Legislature in that county.” (Speech, page 5.) I have already explained to the people of Fayette the circumstances under which I voted. Suffice it to say, that having *property* and *furnished rooms* in both counties, and having paid my general tax in Madison and my city and poll tax in the county of Fayette, I believed at the time that I was entitled to vote in either county I might select. I made no “*oath* or affirmation” about it, the *judges* knowing me personally and all the circumstances of *my residence*, received my vote without a *question being asked* or an *objection made*. Afterwards, when desired to represent this county, I examined the whole ground, and came to the same conclusion to which you did, men of Fayette, that I was eligible here. If there was fault any where, it was not the guilt of *design*, but

the error of voting without that mature reflection which men aspiring to office should never fail to entertain. Mr. Wickliffe can only reach successfully the purity of my motives through the wounded sensibilities of the generous people of Fayette. I have in public proved by Messrs. CURD and CURLE that R. Wickliffe, in the very beginning of the late canvass, made *secret war on me*: and yet he calls me an "inquisitor." Is it an unheard of thing for candidates to answer questions made to them through the papers by their constituents? Yet because I thought proper to avow my sentiments upon a measure of State interest, I am branded as an "agitator and abolitionist." Should I have deprecated this *great Senator's* wrath as his son did that of the *people*, by silence and concealment? I am even upbraided for running at all! Am I a slave or the son of a slave? Did not my fathers bleed that I might seek honor at the hands of the people, and not bow the supple hinges of the knee at the foot of the tyrant? Your Senator contends that I laid a train for the defeat of his son. His insinuation that I brought up the slave question, directly or indirectly, is proven by the letter of John Lyle, Esq. to be *false and malicious*. That I appointed the speaking at the court-house, (p. 30) Messrs. Cunningham and Lamb can shew was also untrue; it was only at the urgent solicitation of those gentlemen that I consented to speak at all. That I attacked the Senator in the court-house, or alluded to him in any manner whatever, as intimated, (p. 7,) the whole audience there present will bear witness when I pronounce it to be *utterly untrue*. That I acted in an under handed manner, or said or did any thing concerning himself or son, in the canvass, that was not said or done on the stump, my whole life and character will *disprove*; and I defy the Senator to the proof. Mr. W. accuses me of being the enemy of Lexington. Though a member from another county, I voted for every measure Fayette ever asked, *save one*. I was the friend of her literary institutions, her banks, her rail-roads, her turnpikes. As a private citizen of Madison, I subscribed to the *Lexington* and Richmond Turnpike Road. Mr. Wickliffe, of Fayette, to the Frankfort and *Lexington* Rail-Road. I *paid my* stock; he *forfeited his*, for the purpose of preventing payment; and thus betrayed his fellow stockholders. I gave the road every right of way through my land; he spent the winter in the Senate, which he owed to the public, in carrying on a private war upon the same road, because the directors would not let him have "exclusive privileges" by passing their gates toll free! Who then, is the enemy of Lexington—*I*, or the *Senator*? Your Senator, by reflecting that all-pervading selfishness for which he is so notorious, says, so long as it was to pass through *Richmond*, Winchester and Paris to Cincinnati, *leaving out Lexington*, I was *for* the road, but when Lexington became the terminus, I was *against* it. All Kentucky knows that *Richmond* and Winchester *never* were made *points*

in the road. The whole Legislature knows that I never did vote against the road when *Lexington* was made a *point*. I voted against all amendments making *any points* in the road, and finally when *Lexington was made a point*, I voted still for the charter, as the *journals will show!* With his characteristic liberality he asserts that when I found it would not pass *my ferry*, I voted against the Rail-Road Bank; at that time, if even now, the route of the road was *not located*. The man who has so short a memory should always *stick to the truth*. Then he did me the honor to say that I was opposed to the bank, because Dr. Warfield, my father-in-law, held shares in the Kentucky Banks! But I weary you with a refutation of these myriad *slanders* and *malicious falsehoods!* I will assign now my own reasons for my own vote. I voted for the road in the first place, because the South asked the *charter merely*, professing to be about to *make the road herself*. Two years afterwards, when I was again in the Legislature, they asked us to give them during the general *suspension*, a new bank with immense capital, controlled by *Southern men entirely*; by those who saw *monstrous oppression* and *unconstitutionality* in a *National Bank*, but yet wished us Kentuckians, the friends of a general bank, to give to *them*, a *part of the empire*, the powers which they denied to the *whole of the people!* They wanted all this, and yet tell us in their official report, that "each State was expected to *make its own road in its own border.*" I would not pledge my State to such a preposterous scheme. Mr. W. does me the honor of having defeated it. I saw not only embarrassment and insolvency by an *irremediable debt*; *prostration* of all our *home improvements*; the *destruction* of the *sinking fund* in our own banks. But I saw then, what the gentleman now confesses, a project for a firmer *union of the Southern States*, *anti-national* in all its phases, leading in the nature of things, to the *destruction* of the *Federal Government*, the palladium of all our rights and glory. "Liberty and union now and forever, one and inseparable," was my motto then as it ever will be.

I now ask the people to read the *book* which the Senator published during the year 1838, upon the *rail-road*, and which he circulated through my old Congressional district for the purpose of breaking me down there, and also to read this *book* which he now puts forth against me here, and stand by me when I pronounce him in the face of the whole Union, an advocate of perpetual slavery, a *nullifier* of the most dangerous die, a *southern conventionist*, a reckless *disunionist!* "But on the contrary *conventions* should be held by delegates from all the *slave States* and *RULES* adopted for their general safety. Nothing would contribute so much to defeat the machinations of England against them, as to break down all restrictions made by particular States, and thereby to extend the slave population over the whole face of the territory of each and every State where slavery exists." (Speech,

p. 19.) The constitution of the United States, art. 1, sec. 10, clause 2d, has "no State shall, without the consent of Congress, enter into *any agreement or compact with another State.*" Yet hear your *leader of a new party!* What are "rules" but "*agreements and compacts*" forbidden by the charter of our liberties. Is this not high treason? What can it mean but that the *union, the constitution, have no "safety"* in them; that we must look to new alliances and compacts and adopt new *rules* for protection? When these "RULES" for their general safety shall have been consummated, nothing will remain to be done on the part of the Hot-spurs of the South, but to "take up their hats and walk out of Congress, and the Union is dissolved." I tell the Senator—I tell the people of "old Fayette"—I tell Americans—I tell the whole world, that against such a scheme Kentucky stakes her life, her fortune, and her sacred honor! She stands by the Union, the whole Union, and nothing but the Union; her flag is nailed to the mast; under its broad stripes and stars of fire she will live and die! There are two classes of fanatics in these States—one, the anti-slavery fanatics, the "abolitionists," the slave fanatics, the "disunionists." In one class are those reckless spirits who, to free the slave, would violate the National Constitution and plunge the country into a civil war. The other class are those enemies of human liberty and the progress of civilization, who would *destroy* the same ever glorious palladium of freedom and equal rights among men, to perpetuate eternal slavery! They are both the outlaws of nations and the enemies of mankind! The North has her abolitionists—her Garrisons, her Tappans; the South her "*disunionists*"—her McDuffies and her Wickliffes! From such malign influences may Heaven in mercy preserve my native land!

R. Wickliffe and his son-in-law, A. K. Woolley, in 1833 voted for the "law prohibiting the importation of slaves into this State." Then all was well! In 1837 the Senator becomes acquainted with Southern gentlemen; he finds the South "complaining of Kentucky about that law;" he is won over, and we of less plastic stuff, who hold on to *this child of his paternity—we are "abolitionists;"* and *he* denies that he ever heard such a law! and the Judge "comes down from the sacred seat of justice, casts from him the ermine of the Judge," enters upon the Hustings and declares the same law *unconstitutional!* To the proof: "I left the Senate without, I think, ever reading or hearing this bill read, until the year 1835, for the first time," (p. 20.) Now, in the Senate Journal, 1832-'3, "from the county of Fayette, R. Wickliffe," (p. 1.) Surely this must be the same man! A committee of courts of justice was appointed, "consisting of Messrs. Wickliffe," &c. (p. 173.) Thus we find him chairman of that committee, before whom this law ought, as a matter of course, to have been laid. "On motion of Wm. Owsley leave was granted to

bring in a bill to amend the law prohibiting the importation of slaves into this State;" in the same hour "a bill was reported from the committee by Mr. Wickliffe," (p. 206.) The bill was again "referred (p. 23) to a committee of the whole house for to-morrow." And finally, the yeas and nays being required on the *final passage*, stood "yeas, Messrs. Beatty, Bibb, &c. WICKLIFFE"—23. (p. 1, s. 266.) *Surely this must be the same man!* Yet this same Wickliffe now says *Green* succeeded in passing the bill in the lower house "without the Senate's being apprised of its contents." Now the truth is, the bill of the lower house never was passed, but the bill of the Senate was reported to the House and passed. In the journals of the lower house, 1832-'3, you find "a bill more effectually to prevent the importation of slaves into this State," was introduced by "Mr. Thruston," (page 21, H. R.) and afterwards laid on the table. The bill from the Senate, brought in by Wm. Owsley and voted for by R. Wickliffe, was reported to the House and passed—"yeas Messrs. Speaker, &c., WOOLLEY—56." (p. H. R. 31,) and not voted for by R. Breckinridge at all!

Yet listen to this man "who has too long loved you:" "I have not only shown you that its object and effect is emancipation, but that the publications of both *Mr. Green* and *Mr. Breckinridge*, the authors of the act, nail the present agitators" (*Wickliffe* and *Woolley*?) "to the counter," (p. 35.) Is it not most charitable to forget the victim of *Amos Kendall's letter* and call this deluded man a *Fanatic*? So far as Mr. Wickliffe and myself are personally concerned, I might rest this controversy here. Had he have permitted the warmth elicited by an animated canvass to have passed away by time, and had not attempted to ruin me in *print*, I should not have been forced in self-defence to perpetuate those evidences of his *reckless malice*. But a great measure of State depends; I proceed to the main question.

In 1790 there were 660,000 slaves and 1,250,000 whites in the slave States, being 190 whites to 100 blacks. In 1830, the last census, there were 3,760,000 whites to 2,000,000 blacks, as 186 to 100. Now in Kentucky, in 1790, there were 61,247 whites to 12,430 slaves: in 1830 523,494 whites to 165,359 blacks. Thus while in the whole slave States there was in 40 years only a small increase of the blacks upon the whites, rising from 100 to 186 instead of 190, in Kentucky in the same 40 years, there was the appalling decrease of from 5 whites to 1 black, to 3 1-6 whites to 1 black, only; and in less than 40 years more the blacks would have out-numbered the whites!! In view of these facts the law was passed, more effectually to "prevent the importation of slaves into this State." The effect was as anticipated, and it has rolled back the tide of black population which, like a lava flood, threatened sudden ruin to our beloved Kentucky. Your Senator admits that 60,000 blacks* have been sent out of the State: and

*60,000 slaves carried out of the State, as Mr. W. admits, at a fair average of \$800 a piece, make a return in coin to our State of \$48,000,000 in the last seven

from the best evidence I have, the whites are, instead of 3 1-6 to 1, as in 1833, now 4 1/2 to 1 black, shewing a very great decrease in the slave population in seven years, under this wholesome law. To nothing more than this law do I attribute the solvency of our State, when compared with Mississippi and Louisiana, to whom we sold our slaves for the precious metals. And from the whole South our returns were made in money instead of vicious slaves. Read for yourselves the Constitution and this so much misrepresented law:

CONSTITUTION OF KENTUCKY.

ART. 7.—Concerning Slaves.

SEC. 1. The General Assembly shall have no power to pass laws for the emancipation of slaves without the consent of their owners, or without paying their owners previous to such emancipation, a full equivalent in money for the slaves so emancipated. They shall have no power to prevent emigrants to this State from bringing with them such persons as are deemed slaves by the laws of any one of the U. States, so long as any person of the same age or description shall be continued in slavery by the laws of this State. They shall pass laws to permit the owners of slaves to emancipate them, saving the rights of creditors and preventing them from becoming a charge to any county in this commonwealth.— They shall have full power to prevent slaves being brought into this State as merchandise. They shall have full power to prevent any slaves being brought into this State from a foreign country, and to prevent those from being brought into this State who have been since the first day of January, 1789, or may hereafter be imported into any of the United States from a foreign country. And they shall have full power to pass such laws as may be necessary to oblige the owners of slaves to treat them with humanity; to provide for their necessary clothing and provision; to abstain from all injuries to them, extending to life or limb, and in case of their neglect or refusal to comply with the directions of such laws, to have such slave or slaves sold for the benefit of their owner or owners:

1833.—*In force from its passage.*

AN ACT to amend the law prohibiting the importation of slaves into this State. Approved Feb. 2d, 1833.— Session acts, p. 258.

SEC. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That each and every person or persons who shall hereafter import into this State any slave or slaves, or who shall sell or buy or contract for the sale or purchase for a longer term than one year, of the service of any such slave or slaves, knowing the same to have been imported as aforesaid, he, she or they so offending, shall forfeit and pay six hundred dollars for each slave so imported, sold or bought, or whose service has been so contracted for, recoverable by indictment of a Grand Jury, or an action of debt in the name of the Commonwealth of Kentucky, in any Circuit Court of the county where the offender or offenders may be found: Provided, however, that nothing herein contained shall be construed to authorise a recovery of the aforesaid penalty from any emigrant or emigrants to this State for or on account of his, her or their having brought with them any person or persons deemed slaves by the laws of any one of the United States, if such emigrant or emigrants shall, within sixty days after his, her or their arrival into this State, have taken before some Justice of the Peace the following oath or affirmation, to-wit: I, ———, do solemnly swear (or affirm) that my removal to the State of Kentucky was with intention of becoming a citizen thereof, and that I have brought with me no slave or slaves with intention of selling them—so help me God;” and shall also within thirty days after taking such oath, have had the same recorded in the office of the Clerk of the county court of the county in which the oath or affirmation was taken. Nor shall

years. Will any one assert that this amount of money has had no influence upon the present solvency of our State?

any thing herein contained authorise a recovery of the penalty aforesaid against any person or persons for or on account of his, her or their having imported into this State any slave or slaves, provided he, she or they prove on the trial to the satisfaction of the jury that he, she or they were travellers or sojourners, making only a transient stay in this State, and brought such slave or slaves for the purpose of again carrying them out of the State.

SEC. 2. Be it enacted, That this act shall not be construed to extend to any person or persons who are residents of this State, and who derive title to such slave or slaves by will, descent, distribution or marriage, or gift in consideration of marriage.

SEC. 3. Relates to mode of enforcing.

SEC. 4. The duty of the attorney.

SEC. 5. Be it further enacted, That it shall not be construed an importation within the meaning of this act, for the owner or owners after he, she or they may have hired their slave or slaves to any person or persons out of this State, to bring such slave or slaves to this State, if such owner or owners be citizens of this State, and have in their possession in this State such slave or slaves at the time of the hire.

SEC. 6. Relates to the mode of proceeding. SEC. 7 & 8 to the same, and repealing clause.

Now, I too, am willing to leave it to any sensible farmer, lawyer or mechanic, if this law is not as conformable to the Constitution as human language can make it. I omit the argument that the *negation* of power in the first clause by *special exception*, yields it in *all other cases*. The Constitution says *emigrants* shall not be prohibited from bringing slaves into this State, so long as the same shall be held in this State. Now, if slaves were liberated here, evidently the Legislature would have power to *prevent* them from being brought from abroad to this State *in all cases* without exception. Of course then, the only *limits* upon the prohibition abroad, is the extent of the prohibition upon our own citizens; so as in the language of the United States Constitution, "the citizens of each State may be entitled to all the privileges of the several States." But "emigrants" by our *State Constitution*, shall not be prohibited from bringing slaves with them; neither does *the law* prohibit them. Mr. Wickliffe would make you believe that the *oath* is a violation of the Constitution and a *prohibition*. Most monstrous doctrine! The *oath* or *affirmation* merely ascertains the *motive* or intent of the emigrant, and does not extend to the *act* at all. It is a police arrangement merely to distinguish between the importer of slaves as merchandise and the bona fide

emigrant. Government cannot, like Omnipotence, act without means; there must be modes of procedure to carry out all laws.

For instance, morally speaking, the creditor has a right to his debt at the moment it is due, and by the Constitution "the obligations of contracts shall not be impaired;" yet replevin laws defer the collections for months; and even without them, it requires time for the execution, sale, and paying over the money. So this oath or affirmation is incidental and *necessary* in carrying out the spirit and letter of the Constitution and laws. So much for *emigrants* or persons who emigrate to our State as citizens. Next, what constitutes making *merchandise* of slaves—whenever money or an equivalent is paid for a slave—when there is *bargain and sale*, then is the domestic slave-trade carried on, and the slave is made *merchandise*; which by the law is forbidden, and by the Constitution allowed to be forbidden. I defy any man to set down and write a plainer grant of power! But allow, for argument's sake, that buying a slave in South Carolina and bringing him home for "one's own use," is not "*merchandise*," in the meaning of the Constitution, and the Legislature yet in its wisdom thinks proper to forbid it—is there any thing in the Constitution to deny the power? I say there is not. We have all power upon the subject—to which the Constitution looks when it says, "*so long* as any person of the same age or description shall be continued in slavery by the laws of this State," *and no longer*. By all the principles of logic and common sense, whatever can be predicated of the *whole*, can also be said of the part; the greater comprehends the less. If by denying her citizens the *entire power* over slaves, Kentucky can prevent the importation of slaves in all cases altogether, a *fortiori* (much more,) can they prevent emigrants from importing slaves to *sell*, so long as she does not violate the Constitution of the United States by *permitting her citizens* to import to *sell*, while *denying* the "same privileges" to the other States? The law then, under the State Constitution and the U. S. Constitution, is plainly allowed. It is framed with great care—allows the admission of slaves in all cases except when *purchase* is made, and except where *fraud* may be committed with impunity. Hence a father by *will* may give his son a slave, yet not by *gift*—hence a father-in-law in *consideration of marriage*, may give the son-in-law a slave; because a man neither *dies* nor *marries* to commit *fraud*—neither could he do these things *but once*. But were the father living in Virginia allowed to *give* to the son in Kentucky, he might give 100,000 slaves a year, and thus the domestic slave-trade be carried on with impunity. If the State Constitution grants the power of the law, does the Constitution of the United States forbid it? I answer, that the Constitution of the United States has no control over the subject of slavery. Slavery is peculiar; it differs from all other property; it partakes of the attributes of *citizenship*; it is the foun-

denial of representation: slaves have rights independent of the master; they are in many cases in law regarded as persons and not property. The States were jealous upon this subject, and denied all power to Congress over slaves except when special mention was made of them in the grant or denial. I defy Mr. W. to shew any power in Congress to license or forbid the slave trade between the States: if there is, they can force them upon Ohio and N. York as well as upon Kentucky. That each State for itself has the sole control over this subject, I shall ever contend; the opposite doctrine places the whole slave population in the hands of Congress, and in the power of the *Abolitionists!*—Is that the doctrine for which Mr. W. contends? The only clause in the Constitution which can be tortured into any bearing upon this law, is, “the citizens of each State shall be entitled to all the privileges of the several States.” (Art. 4; sec. 2.) In as much then, as we don’t permit our own citizens to import slaves, the South cannot complain that we do not permit her to import slaves into our State. Mr. W.’s idea that we can’t prevent *emigrants* from bringing slaves here *for sale*, is fully answered by the above reasoning. To suppose that an emigrant, under the United States Constitution could bring in slaves for sale when our citizens clearly cannot, would be giving to emigrants what we denied to ourselves, which is absurd! Away then, with all this special pleading about the *unconstitutionality* of the law: the grant of power is as palpable to the understanding as to the eye are the green leaves upon the trees or the bright sun in the Heavens. I cannot go over all Mr. W.’s ground in construing this law; his positions are too evidently untenable, and his arguments too flimsy to need any thing but the mere statement of the facts. He says, emigrants coming into our State are forced to take the oath, whether they intend to become citizens or not. Not so. Persons coming here from other States with slaves, not intending to become citizens, can stay as long as they please, and go when they please, and take their slaves, without violating the law or incurring its penalties. They are “*sojourners*” in the language of the law, and not “*emigrants*.” Consequently, all *aliens, denizens, sojourners, travellers, steam-boat captains, students of law, Southerners* residing here for health, amusement, or instruction of their children, *are not and cannot* be affected in any manner by this law; they may bring their slaves and *keep and carry them out with impunity*, Mr. W.’s say so to the contrary, notwithstanding!

So madly bent is Mr. W. upon misconstruing this law, for the purpose of deceiving the people, that he asserts that a person taking his slave to Ohio or N. York, and returning with him again to his home in Kentucky, would be “importing” in the meaning of the law. So absurd is this doctrine, that even the conscientious Judge Woolley admitted in his instructions to the Grand Jury on Monday last, that it was not “importing.” “Because import

means to translate from a foreign country or from one State to another, (see lexicographers,) and as the slave is regarded in law as appertaining to the domicil of the master, no matter in what country he may be, he is still in the eye of the law in Kentucky." I give the substance of the argument. If that be the true construction, of which I have no doubt, then a Kentuckian planting in Mississippi with slaves under his personal inspection or that of his overseer, can bring them back to Kentucky when he pleases; they are still "in the eye of the law regarded as belonging to the domicil in Kentucky," no matter whether they have been absent *days* or *years*. And I have already shown that a Mississippian residing in Lexington comes not under the penalties of the law. All this humbug about Daniel Vertner, Esq.* and others, "*sojourners*," is all evidently intended, to use a western phrase, to "*honey fuggle*" them into the personal support of R. Wickliffe.

"'Tis pleasant, sure, to see one's name in print—
A book's a book, although there's nothing in it."

I shall not be the last to pay respect to talents, worth, intellectual, moral, and social cultivation, but should the *wealthy* of the land *knowingly* violate the laws of the country, in my estimation the *poorest* in the community should be shown more lenity than they. This argument of violation of law being a reason for repeal, is new to me—subversive of all government and impartial justice. I tread it under foot with indignation and contempt, as not belonging to a country where "all men are born free and equal."† As an evidence that I have rightly construed this law, the Grand Jury, though *specially instructed* by the Judge, I learn have made no presentments under the law, unless in case of failure of *emigrants* to take the oath. Thus all R. W.'s immense fabric of *unconstitutionality* and *expediency* and *injustice* falls to the ground, leaving no vestige behind! The whole question rests upon broader principles, such as a heavy technical lawyer like R. Wickliffe cannot grasp. The question is, shall the whites or blacks predominate in our State? If you want the whites in the majority, let the law stand unrepealed in any particular. If you want a majority of blacks, repeal all laws preventing the importation of slaves from the States and from Africa also. Upon this subject, I for one, have, after mature reflection, made up my mind now and forever! You may come

*NOTE.—Since the above has been in press, I learn that Mr. Vertner claims to be a citizen, and having imported slaves without taking the oath, is of course liable to the penalties of the law.

†The laboring class of the country may judge whether Mr. Wickliffe is truly their friend, not only by his partial mention of wealthy names; by his denouncing the honest and industrious Irish and Dutch and Yankee emigrants as Goths and Vandals, but by his most ungallant application of the epithet of "*wench*" to all that class of women who have not "*murky*" maids to mould them into deformity. I may be a man of uncultivated taste, but to me, the rosy cheek, the bright eye, the glossy locks, the buoyant and well developed form of health and modest industry, are far more lovely than the pickle-eating complexions and attenuated persons of milliner made graces, "*Grecian bends*" and French *tournures* of the apish aristocracy of "*hard working America*."

to a different conclusion—let us be charitable to each other; to our God and our country we both stand solemnly accountable.

E. Wickliffe calls me to account and would hold me up to public odium and indignation, because I “*dared*” to discuss the *merits* of slavery. When the question is, shall we *increase* or *decrease* the *number* of *slaves*—what else, under the high heavens, remains to be discussed but the *merits* of slavery? Yet I am not a slave—I dare do all a man may dare. Thanks to liberty, I may yet speak, though all the world be deaf. I shall speak—advisedly, calmly, honestly, boldly—one freeman to another;—speak as one who plants his foot upon *the right*, feeling that he who falls for his country, most gloriously falls! I declare then, in the face of all men, that I believe *slavery* to be an *evil*—an evil morally, economically, physically, intellectually, socially, religiously, politically—evil in its inception, in its duration, and in its catastrophe—an unmixed evil, without palliation or defence, save in *necessity*. Still I am no emancipationist, far less an “*abolitionist*,” but like nine-tenths of the slave-holders in all the world, rest now where I was in the beginning. In part, like them, I know not what to do; partly, because if I knew, I have not the power to act—but mostly, because there is something in the hearts of all men which teach them ’tis better to “bear those ills we have, than fly to others that we know not of.” Yet still it is an evil! That which distinguishes this age above all preceding time, is the invention of steam power and its application to machinery; since then man has become god-like in his evidencing almost creative power. The world is teeming with improved machinery, the combined development of science and art. To us, it is all lost; we are comparatively living in centuries that are gone! We cannot make it, we cannot use it when made. Ohio is many years younger; possessed of fewer advantages than our State, the next census will give her perhaps 30 members, whilst Kentucky will probably be struck down to 12 members of the National Legislature. Cincinnati has manufactures to sustain her; last year she put up 1,000 houses. Louisville, with superior natural advantages, as all the world knows, wrote “to rent” upon many of her houses already made. Ohio is a free, Kentucky a slave State. Upon the sand-hills of New England, where once grew junipers and black jacks, are now villages, manufactories, meadows, wheat fields, all the comforts, and many of the luxuries of life. In the South where cotton and tobacco once rewarded the husbandman, can now be seen sterile pine-groves, clay banks and naked rocks; the crab tree and mullein now struggle into life, where once luxuriantly grew the walnut and the vine. New England is cultivated by whites—Virginia by blacks. The glory of the Old Dominion has departed, and N. York has become the *Empire State*.

Our autumn forests are illumined with the camp fires of the emigrant, as he leaves the home of his youth and the graves of his ancestors forever, to seek in the far West, a more congenial soil in the untamed wilderness. A single puny wagon, a thin visaged wife, ragged children; his dogs and his gun are his only household—these, these, Mr. Wickliffe, are “the *rivals of slave labor*.” Tell me not of England—with a territory not much larger than Kentucky—a mere speck above wide ocean’s waves;—there she stands, amid the wreck of cen-

tures, the queen of the world, and the mistress of the seas; the palladium of liberty; the moral and intellectual light-house, upon which are fixed the eyes of ambition's storm-worn wanderers of every people, from the rising to the going down of the sun; the lawgiver of nations: the impersonation of civilization and of the infinitude of the human mind. Were I not an *American*, would I were an *Englishman*! What then, are the secret foundations of her glory? Her *liberty* and her *machinery*. The renown of her statesmen and orators, is only equalled by the genius, the taste, and the skill of her *mechanics* and *workmen*. She holds the accumulated population of centuries; we feed upon a virgin soil, yet old age and the traces of dissipation are visibly traced upon the features of our youthful mother; while England, *Old England*, wears her virgin bloom unimpaired, ever brightened in youth and loveliness by time itself! The comparison is painful; I pursue it no more! Every slave imported, drives out a free and independent Kentuckian. On almost every farm you will find many a house as good as that in which the proprietor lives, untenanted, and falling to ruins and untimely decay. The day is come, or coming, when every *white* must work for the wages of the *slave*—his *vituals and clothes*—*emigrate*, or *die*! My sympathies are for the white man—bone of my bone and flesh of my flesh—his industry, independence and comfort are the strength, the wealth and glory of the State.

This act is no new thing in the legislation of the country. When Virginia was a colony of the British crown, she sternly remonstrated against the importation of slaves into her borders. In 1798 she passed a law, in force now in this State, forbidding the bringing in any slave from a foreign country, or, who had been imported into the United States since the 1st of January, 1793. The Constitution of the United States gives Congress the power to prohibit the importation of slaves into any of the States after the year 1808. In 1815 Kentucky passed a law similar to that of 1833. The thirteen original States were all *slave* States; the most of them have gradually thrown off the disease. Most or all the States have at times passed laws similar to this. There is nothing in Kentucky to make slavery *eternal*; nothing in the climate, nothing in the soil, nothing in the products, nothing in the circumstances, by which we are surrounded. I have not made up my mind that slavery shall exist here forever; revolutions in time must and will come. Let us not be of those who, having eyes, see not, and ears, hear not. God grant that we may avoid the dreadful remedy which some of the States have made up their minds to bear—slavery, till extermination shall give to the whites or to the blacks entire supremacy.

Kentucky is in the midst of the States; her destiny is more intimately bound up in our Federal Government than that of any other in the Union. If the Union is dissolved, we must become a border State, a province in importance, whether we attach ourselves to the North or to the South; but while the Union lasts, we stand as mediators between the North and the South. Not entirely a free State, yet having so few slaves as not to identify ourselves with the South as matter of necessity, a million of gallant Kentuckians will have no mean influence in the councils of the nation. But if we pursue the plan proposed by R. W., repeal this law, and receive all the surplus vicious

slave population which may be thrown upon us till the whites are thrown into a minority—our strength and influence are gone, our locks are shorn, the star of our glory will have set forever. Pause my countrymen now, before it is too late! Have you made up your minds to leave your posterity under the certain determination that the time must come when their lives shall depend upon the extermination of their natural enemy, or go down in *blood* and *dishonor forever*. Do not, I beseech you, repeal this law; set not your faces against the civilization and the moral power of the whole world. Do not attempt this retrograde march, with eyes blind to the history of the past: but when your heads shall sink down upon the green turf—your eyes close on your offspring for the last time, sweet will be the assurance that all is well—that the subterranean fires which threatened eruption and universal deluge of fire and death, are subsiding—the coals are mouldering away; the flames sink down into the depths of their caverns, to perish forever; the green sward is fast closing over the mouth of the crater, and ere long flowers and fruits, and ever living verdure, shall speak joy to the hearts of posterity; the volcano is no more—our country is redeemed.

R. W. seems to think that the “conspirators,” as he is pleased to call the supporters of *his law*, have already chosen their Senator to succeed him: It seems indeed that he at least will be in time for them; his *cousin* is already in the field. Well, the office of Senator belongs to his family—let them have it. The people would do well to compromise the matter with him, as I proposed: let *them* have *half* the offices of the country, and the *people* the other *half*. R. Wickliffe, for a long term of years, holds the office of Senator; he goes out and his son-in-law, A. K. Woolley, goes in. Woolley goes out, is made Judge and Professor of Law—and R. Wickliffe goes back again;—one cousin Wickliffe is made Mayor of the City of Lexington; the other cousin Wickliffe is made City Printer, and brother Charles Wickliffe, Lieutenant Governor—and son R. Wickliffe, holding two executive offices, Bank Director and Trustee of the University, is brought forward for the Legislature. One of the people also presumes to offer; and the Wickliffes raise the cry of *clique*; that they are proscribed and *excluded from office*. The people laugh and look a little incredulous: the Senator makes war upon the “gentleman from *Madison*”—swears that if they don’t elect his son, that he will resign his seat and inflict upon them the loss of his “*financial talents*.” The County, having seen something of his financial ability* of late, shakes her head and “winks one eye, as much as to say it’s so, or it ain’t so,” but says nothing:

*Mr. Wickliffe complains that I asserted that he had squandered \$100,000. I never did so assert. When he put up his financial abilities as a reason for my defeat, I thought I had a perfect right to refer to his hurrying the country into this abortive scheme; that the county does not pay the whole is no fault of Mr. W., for this road seems to be uppermost in his thoughts. His argument that the \$10,000 was spent in the county, proves that he is perfectly destitute of all knowledge of the first principles of political economy. Money spent in *mere luxuries*, is said by economists to be a loss to the general wealth, although the eater of the banquet may have received all the pleasures of the table; but money spent in surveying a road never to be made, is as if it were sunk in the sea. Not even the faint vestige which temporary pleasures leave, mark its having ever been.

The election comes on—R. Wickliffe, Jr. is beaten—the Senator *reproaches* the people, curses me, and *resigns* sure enough! The Reporter roars, and with open mouth and rabid tooth, uses up—me, who waged the war? No indeed: but just lets Mr. Clay (Old Hal) know, and *all the world know*, that R. Wickliffe won't go for Mr. Clay's Bankrupt Law, nor his Bank Bill, at all! He never was for Clay! Hal wonders what the devil is the matter, not knowing how, when, or what! The "Yeoman" thinks to catch a *gudgeon*, and casts out his hook; the Intelligencer says it's a *tartar*, and "saft soaps" over the "krittur" to keep out the hook! The Reporter says it's *tar* and no "*soap*;" the Intelligencer maintains it is "*soap*." The Reporter looks warlike, and talks of having killed "the dead Percy;" looks to Harrison for—office? Oh no! But the consolation that by his (H.'s) election, they will be rewarded for all their defeats in his cause! *Amici teneatis risum?* I have no objection to all this; it's very pleasant during a long peace, to have a little personal blow-up now and then. But it seems I am a friend of General Scott's, and no friend of Harrison!—Let the Reporter praise his cousin R. Wickliffe, and his cousin Charles Wickliffe, and his brother Charles Wickliffe, and his cousin R. Wickliffe, Jr. and brother Bob Wickliffe, and all the cousins of the same—'tis his avocation—the man must have bread, I know—but I pray him to let me alone. Man, I am no seeker of office; I hope I don't stand between *them* and the *light*. Still I never did "prefer Scott to Harrison." After losing my choice, H. Clay, I was for the strongest man, I cared not whom, *whether Scott or Harrison*. If I shall have contributed, in the least, to make Gen. Harrison President, the obligations under which he laid my family during the last war, will be in some degree released. If I shall have done the Whig cause any service in my "low degree (Rep.);" I look to the people for my reward; *thus far* they have sustained me, and my heart is filled with gratitude! R. Wickliffe, taking up the same train of detraction, would make the public believe that I produced a breach in the Whig ranks "in the sight of the enemy."—It seems the Whigs were accused of being "abolitionists;" the Van Buren men *said* so—Mr. Wickliffe comes out in his *letter* and *proves* it. So far as his testimony could operate in Kentucky or elsewhere against the Whigs, it has been given, freely and knowingly. He said to an Administration man (as he told me,) that if the Green River country knew of the agitation of the slave question here, that R. Letcher would lose 10,000 votes there. After this he publishes in the Reporter his fanatical letter, which was put into hand-bill form by the Administration men, I learn, and sent into the South of the State! In the same train of enmity to the cause, neither he nor his son-in-law, I believe, and many others of his friends, voted for R. Letcher or M. V. Thomson; although the eyes of all Whig America were on "Old Kentucky." R. Wickliffe declined speaking, "as rumor has it," in behalf of his country, for fear it would injure his son's election. Some of his family "as rumor has it," hold caucuses with the "enemy," and others address complimentary speeches to the Vice-President himself! Yet this man, who refused in the most important election, to vote; who published his letter, knowing, or rather wishing, it would have a disastrous effect upon the Governor's election, (because his brother Charles was not the

nominee;) who refused to speak in behalf of the Whig cause; whose immediate and personal friends and relatives hold caucuses with the "enemy," and address compliments to their leader; who threatens, "as rumor has it," to "join the opposition if he should have no weight in Harrison's cabinet"—dare upbraid me as wanting in patriotism, when I told my friends in private and from the *stump*, to sustain the *principles* and *men* of our party, though I should fall. It is enough: the anathema is already passed against me, and I am to be written down and trampled under foot forever. (Speech, p. 30.) My countrymen, I call on you for safety and protection; try me and square me by the fiery lines of truth; but I pray you do not require me to bow down to any man or set of men; but stand, or fall, with all the just sympathies which become a man—all the proud and unbending firmness of soul which become one who battles for his country.

C. M. CLAY.

SEPTEMBER 24th, 1840.