

they would be succeeded by a storm; although I did not foresee exactly how it would burst from my poor head. I found myself transformed from a candidate before the people, into an elector for the people. I deliberately examined the duties incident to this new attitude, and weighed all the facts before me, upon which my judgment was to be formed or reviewed. If the eagerness of any of the heated partisans of the respective candidates suggested a tardiness in the declaration of my intention, I believed that the new relation, in which I was placed to the subject, imposed on me an obligation to pay some respect to delicacy and decorum.

Megawhile that very reserve supplied aliment to newspaper criticism. The critics could not comprehend how a man, standing as I have stood toward the other gentlemen, should be restrained, by a sense of propriety, from instantly fighting under the banners of one of them, against the others. Letters were issued from the manufactory at Washington, to come back, after performing long journeys, for Washington consumption. These letters imputed to "Mr. Clay and his friends a mysterious air, a portentous silence," &c. From dark and distant hints the progress was easy to open and bitter denunciation. Anonymous letters, full of menace and abuse, were almost daily poured in on me. Personal threats were communicated to me, thro' friendly organs, and I was kindly apprised of all the glories of village effigies which awaited me. A systematic attack was simultaneously commenced upon me from Boston to Charleston, with an object, present and future, which it was impossible to mistake. No man but myself could know the nature, extent and variety of means which were employed to awe and influence me. I bore them, I trust, as your representative ought to have borne them, and as became me. Then followed the letter, afterwards adopted as his own by Mr. Kremer, to the *Columbian Observer*. With its character and contents you are well acquainted. When I saw that letter, alleged to be written by a member of the very House over which I was presiding, who was so far designated as to be described as belonging to a particular delegation, by name, a member with whom I might be daily exchanging, at least on my part, friendly salutations, and who was possibly receiving from me constantly acts of courtesy and kindness, I felt that I could no longer remain silent. A crisis appeared to me to have arisen in my public life. I issued my card. I ought not to have put in it the last paragraph, because, although it does not necessarily imply the resort to a personal combat, it admits of that construction; nor will I conceal that such a possible issue was within my contemplation. I owe it to the community to say, that whatever heretofore I may have done, or, by inevitable circumstances, might be forced to do, no man holds in deeper abhorrence than I do, that pernicious practice. 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, altho' we should, reason. Its true corrective will be found when all shall unite, as all ought to unite, in its unqualified proscription.

A few days after the publication of my Card, "Another Card," under Mr. Kremer's name, was published in the *Intelligencer*. The night before, as I was voluntarily informed, Mr. Eaton, a Senator from Tennessee, and the Biographer of General Jackson (who boarded in the end of this city opposite to that in which Mr. Kremer took up his abode, a distance of about two miles and a half) was closeted for some time with him. Mr. Kremer is entitled to great credit for having overcome all the disadvantages, incident to his early life and want of education, and forced his way to the honorable station of a member of the House of Representatives. Ardent in his attachment to the cause which he had espoused, Gen. Jackson is his idol, and of his blind zeal others have availed themselves, and have made him their dupe and their instrument. I do not pretend to know the object of Mr. Eaton's visit to him. I state the fact as it was communicated to me, and leave you to judge. Mr. Kremer's card is composed with some care and no little art, and he is made to avow in it, though somewhat equivocally, that he is the author of the letter to the *Columbian Observer*. To Mr. Croninshield, a member from Massachusetts, formerly Secretary of the Navy, he declared that he was not the author of that letter. In his Card, he draws a clear line of separation between my friends and me, acquitting them, and undertaking to make good his charges, in that letter, only so far as I was concerned. The purpose of this discrimination is obvious. At that time the election was undecided, and it was therefore as important to abstain from imputations against my friends, as it was politic to fix them upon me. If they could be made to believe that I had been perfidious, in the transport of their indignation, they might have been carried to the support of Gen. Jackson. I received the *National Intelligencer*, containing Mr. Kremer's card, at breakfast, the usual time of its distribution, on the morning of its publication. As soon as I read the card, I took my res-

olution. The terms of it clearly implied that it had not entered into his conception to have a personal affair with me; and I should have justly exposed myself to universal ridicule, if I had sought one with him. I determined to lay the matter before the House and respectfully to invite an investigation of my conduct. I accordingly made a communication to the House, on the same day, the motives for which I assigned. Mr. Kremer was in his place, and, when I sat down, rose and stated that he was prepared and willing to substantiate his charges against me. This was his voluntary declaration, unprompted by his aids and abettors, who had no opportunity of previous consultation with him on that point. Here was an issue publicly and solemnly joined, in which the accused invoked an inquiry into serious charges against him, and the accuser professed an ability and a willingness to establish them. A debate ensued, on the next day, which occupied the greater part of it, during which Mr. Kremer declared to Mr. Brent, of Louisiana, a friend of mine, and to Mr. Little, of Maryland, a friend of General Jackson, as they have certified, "that he never intended to charge Mr. Clay with corruption or dishonesty, in his intended vote for Mr. Adams as President, or that he had transferred, or could transfer, the votes or interest of his friends; that he (Mr. Kremer) was among the last men in the nation to make such a charge against Mr. Clay; and that his letter was never intended to convey the idea given to it." Mr. Digges, a highly respectable inhabitant of this city, has certified to the same declarations of Mr. Kremer.

A message was also conveyed to me, during the discussions, thro' a member of the House, to ascertain if I would be satisfied with an explanation which was put on paper and shown me, and which it was stated Mr. Kremer was willing, in his place, to make. I replied that the matter was in the possession of the House. It was afterwards told that Mr. Ingham, of Pennsylvania, got hold of that paper, put it in his pocket, and that he advised Mr. Kremer to take no step without the approbation of his friends. Mr. Cook, of Illinois, moved an adjournment of the House, on information which he received of the probability of Mr. K's making a satisfactory atonement on the next day, for the injury he had done me, which I have no doubt he would have made, if he had been left to the impulses of his native honesty. The House decided to refer my communication to a committee, and adjourn until the next day to appoint it by ballot. In the mean time Mr. Kremer had taken, I presume, or rather had been forced upon him, the advice of his friends, and I heard no more of the apology. A committee was appointed of seven gentlemen, of whom not one was my political friend, but who were among the most eminent members of the body. I received no summons or notification from the committee from its first organization to its final dissolution, but Mr. Kremer was called upon by it to bring forward his proofs. For one moment he was pleased to stop here and contemplate his posture, his relation to the House and to me, and the high obligations under which he had voluntarily placed himself. He was a member of one of the most august assemblies upon earth, of which he was bound to defend the purity, or expose the corruption, by every consideration which ought to influence a patriot bosom. A most responsible and highly important constitutional duty was to be performed by that assembly. He had chosen, in an anonymous letter, to bring against its presiding officer charges, in respect to that duty, of the most flagitious character. These charges comprehended delegations from highly respectable states. If true, that presiding officer merited not merely to be dragged from the chair, but to be expelled the House—He challenges an investigation into his conduct, and Mr. Kremer boldly accepts the challenge, and promises to sustain his accusation. The committee, appointed by the House itself, with the common consent of both parties, calls upon Mr. Kremer to execute his pledge, publicly given in his proper place, and also previously given in the public prints. Here is the theatre of the alleged arrangements; this the vengeance in which the trial ought to take place. Every thing was here fresh in the recollection of the witnesses, if there were any. Here all the proofs were concentrated. Mr. Kremer was stimulated by every motive which could impel to action, by consistency of character, by duty to his constituents—to his country; by that of redeeming his solemn pledge; by his anxious wish for the success of his favorite, whose interests could not fail to be advanced by supporting his atrocious charges. But Mr. Kremer had now the benefit of the advice of his friends. He had no proofs, for the plainest of all reasons, because there was no truth in his charges. They saw that to attempt to establish them, and to fail, as he must fail, in the attempt, might lead to an exposure of the conspiracy, of which he was the organ. They advised therefore that he should make a retreat, and that jurisdiction of the House, which had been admitted, and in the popular topics of the freedom of the press, his duty to his constituents, and the inequality in the condition of the Speaker of the House and a member on the floor, plausible means might be found to deceive the ignorant, and conceal his disgrace. A bold communication was accordingly prepared by them, in Mr. Kremer's name, and transmitted to the committee, founded upon these suggestions. Thus the valiant champion, who had boldly stepped forward, and promised, as a Representative of the people, to "cry aloud and spare not," forgot all his gratuitous gallantry and boasted patriotism, and sunk at once into profound silence.

With these remarks, I will, for the present, leave him, and proceed to assign the reasons to you, to whom alone I admit myself to be officially responsible, for the vote which I gave on the Presidential election. The first inquiry which it behooved me to make, was, as to the influence which ought to be exerted on my judgment, by the relative state of the electoral votes, which the three returned candidates brought into the House, from the colleges. Gen. Jackson obtained 99, Mr. Adams 84, and Mr. Crawford 41. Ought the fact of a plurality being given to one of the candidates to have any, and what, weight?—If the constitution had intended that it should have been decisive, the constitution would have made it decisive, and interdicted the exercise of any discretion on the part of the House of Representatives.—The Constitution has not so ordained, but, on

the contrary, it has provided, that "from the persons having the highest numbers, not exceeding three, on the list of those voted for as President, the House of Representatives shall choose, immediately, by ballot, a President." Thus, a discretion is necessarily invested in the House, for choice implies examination, comparison, judgment.—The fact, therefore, that one of the three persons has the highest returned, not being by the constitution of the country, conclusive upon the judgment of the House, still remains to determine what is the true degree of weight belonging to it? It has been contended that it should operate, it not as an instruction, at least in the nature of one, and that in this form it should control the judgment of the House. But this is the same argument of conclusiveness, which the constitution does not enjoin, thrown into a different, but more imposing shape. Let me analyze it.—There are certain States the aggregate of whose electoral votes conferred upon the highest returned candidate, indicates their wish that he should be the President. Their votes amount in number to 99, out of the 261 electoral votes of the whole Union. These 99 do not, and cannot, of themselves, make the President. If the fact of particular states giving 99 votes can, according to any received notions of the doctrine of instruction, be regarded in that light, to whom are those instructions to be considered addressed? According to that doctrine, the people, who appointed, have the right to direct, by their instructions, in certain cases, the course of the representative whom they appoint. The States, therefore, who gave those 99 votes may, in some sense, be understood thereby to have instructed their representatives in the House to vote for the person on whom they were bestowed, in the choice of a President. But most clearly the representatives coming from other states, which gave no part of those 99 votes, cannot be considered as having been under any obligation to surrender their judgments to those of the State which gave the 99 votes. To contend that they are under such an obligation, would be to maintain that the people of one state have the right to instruct the representatives from another state. It would be to maintain a still more absurd proposition, that, in a case where the representatives from a state did not hold themselves instructed and bound by the will of that state, as indicated in its electoral college, the representatives from another state were, nevertheless, instructed and bound by that alien will. Thus, the entire vote of North-Carolina, and a large majority of that of Maryland, in their respective electoral colleges, were given to one of the three returned candidates, for whom the delegation from neither of those states voted.—And yet the argument contended required that the delegation from Kentucky, who do not represent the people of North-Carolina nor Maryland, should be instructed by, and give an effect to, the indicated will of the people of those two states, when their own delegation paid no attention to it. Doubtless, those delegations felt themselves authorized to look into the actual composition of, and all other circumstances connected with, the majorities which gave the electoral votes, in their respective states; and felt themselves justified, from a view of the whole ground, to act upon their responsibility and according to their best judgments, disregarding the electoral votes in their states. And are the representatives from a different state not only bound by the will of the people of a different commonwealth, but forbidden to examine into the manner by which the expression of that will was brought about—an examination which the immediate representatives themselves feel their duty to make?

Is the fact, then, of a plurality to have no weight? Far from it. Here are 24 communities, united under a common government. The expression of the will of any one of them is entitled to the most respectful attention. It ought to be patiently heard and kindly regarded by the others; but it cannot be admitted to be conclusive upon them. The expression of the will of ninety-nine out of two hundred and sixty-one electors is entitled to very great attention, but that will cannot be considered as entitled to control the will of the 162 electors, who have manifested a different will. To give it such controlling influence, would be a subversion of the fundamental maxim of the Republic—that the majority should govern. The will of the 99 can neither be allowed rightfully to control the remaining 162, nor any one of the 162 electoral votes. It may be an argument, a persuasion, addressed to all, and to each of them, but it is binding and obligatory upon none. It follows, then, that the fact of a plurality was only one among the various considerations which the House was called upon to weigh, in making up its judgment. And the weight of the consideration ought to have been regulated by the extent of the plurality. As between General Jackson and Mr. Adams, the vote standing in the proportions of 99 to 84, it was entitled to less weight; as between the General and Mr. Crawford, it was entitled to more, the vote being as 99 to 41. The concession may even be made, that upon the supposition of an equality of pretensions between competing candidates, the preponderance ought to be given to the fact of a plurality.

With these views of the relative state of the vote, with which the three returned candidates entered the House, I proceeded to examine the other considerations which belonged to the question.—For Mr. Crawford, who barely entered the House with only four votes more than one candidate not returned, and upon whose case, therefore, the argument derived from the fact of plurality operated with strong, though not decisive force, I have ever felt much personal regard. But I was called upon to perform a solemn public duty, in which my private feelings, whether of affection or aversion, were not to be indulged, but the good of my country only consulted. It appeared to me that the precarious state of that gentleman's health, although I participated with his best friends, in all their regrets and sympathies, on account of it, was conclusive against him, to say nothing of other considerations of public nature which would have deposed

examination, if happily, in that respect, he had been differently circumstanced.—He had been ill near eighteen months; and although I am aware that his actual condition was a fact depending upon evidence, and that the evidence in regard to it, which had been presented to the public, was not perfectly harmonious, I judged for myself upon what I saw and heard. He may, and I ardently hope will, recover; but I did not think it became me to assist in committing the Executive administration of this great Republic on the doubtful contingency of the restoration to health of a gentleman who had been so long and so seriously afflicted. Moreover, if, under all the circumstances of his situation, his election had been desirable, I did not think it practicable. I believed, and yet believe, that if the votes of the Western States, given to Mr. Adams, had been conferred on Mr. Crawford, the effect would have been to protract in the House the decision of the contest, to the great agitation and distraction of the country, and possibly, to defeat an election altogether—the very worst result, I thought, that could happen. It appeared to me, then, that sooner or later we must arrive at the only practical issue of the contest before us, and that was between Mr. Adams and General Jackson, and I thought that the earlier we got there, the better for the country and for the House.

In considering this only alternative, I was not unaware of your strong desire to have a Western President; but I thought that I knew enough of your patriotism, and magnanimity, displayed on so many occasions, to believe that you could rise above the mere gratification of sectional pride, if the common good of the whole required you to make the sacrifice of local partiality. I solemnly believed I did, and this brings me to the most important consideration which belonged to the whole subject—that arising out of the respective fitness of the only two real competitors, as it appeared to my best judgment. In speaking of Gen. Jackson, I am aware of the delicacy and respect which are justly due to that distinguished citizen. It is far from my purpose to attempt to disparage him. I could not do it, if I were capable of making the attempt; but I shall nevertheless speak of him as becomes me, with truth. I did not believe him so competent to discharge the various, intricate, and complex duties of the office of Chief Magistrate, as his competitor. He has displayed great skill and bravery as a military commander; and his renown will endure as long as the means exist of preserving a recollection of human transactions. But to be qualified to discharge the duties of President of the United States, the incumbent must have more than mere military attainments—he must be a STATESMAN.—An individual may be a gallant and successful general, an eminent lawyer, an eloquent divine, a learned physician, or an accomplished artist; and doubtless the union of all these characters in the person of a Chief Magistrate would be desirable; but no one of them, nor all combined, will qualify him to be President, unless he superadds that indispensable requisite of being a statesman. Far from meaning to say, that it is an objection to the elevation, to the chief magistracy, of any person, that he is a military commander, if he unites the other qualifications, I only intend to say that, whatever may be the success or splendor of his military achievements, if his qualifications be *only* military, that is an objection, and I think a decisive objection to his election. If General Jackson has exhibited, either in the councils of the Union, or in those of his own state, or in those of any other state or territory, the qualities of a statesman, the evidence of the fact has escaped my observation. It would be as painful as it is unnecessary to recapitulate some of the incidents, which must be fresh in your recollection, of his public life. But I was greatly deceived in my judgment if they proved him to be endowed with that prudence, temper, and discretion, which are necessary for civil administration. It was in vain to remind me of the illustrious example of Washington. There was, in that extraordinary person, united a serenity of mind, a cool and collected wisdom, a cautious and deliberate judgment, a perfect command of the passions, and throughout his whole life, a familiarity and acquaintance with business and civil transactions, which rarely characterize any human being. No man was ever more deeply penetrated than he was with profound respect for the safe and necessary principle of the entire subordination of the military to the civil authority. I hope I do no injustice to General Jackson, when I say, that I could not recognize, in his public conduct, those attainments for both civil government and military command, which contemporaries and posterity have alike unanimously concurred in awarding as yet only to the father of his country. I was sensible of the gratitude which the people of this country justly felt towards General Jackson for his brilliant military services.—But the impulses of public gratitude should be controlled, it appeared to me, by reason and discretion, and I was not prepared blindly to surrender myself to the hazardous indulgence of a feeling, however amiable and excellent that feeling may be when properly directed. It did not seem to me to be wise or prudent,

if, as I solemnly believed, General Jackson's competency for the office was highly questionable, that he should be placed in a situation where neither his fame nor the public interests would be advanced. General Jackson himself would be the last man to recommend or vote for any one for a place, for which he thought himself unfit. I felt myself sustained by his own reasoning, in his letter to Mr. Monroe, in which, speaking of the qualifications of our venerable Shelby for the Department of War, he remarked: "I am compelled to say to you that the acquirements of this worthy man are not competent to the discharge of the multiplied duties of this Department. I therefore hope he may not accept of the appointment. I am fearful, if he does, he will not add much splendor to his present well earned standing as a public character." Such was my opinion of General Jackson, in reference to the Presidency. His convictions of Governor Shelby's unfitness, by the habits of life, for the appointment of Secretary of War, were not more honest nor stronger than mine were of his own want of experience, and the necessary civil qualifications to discharge the duties of a President of the United States. In his elevation to this office, too, I thought I perceived the establishment of a fearful precedent: and I am mistaken in all the warnings of instructive history, if I erred in my judgment. Undoubtedly there are other and many dangers to public liberty, besides that which proceeds from military idolatry, but I have yet to acquire the knowledge of it, if there be one more perilous or more frequent.

Whether Mr. Adams would or would not have been my choice of a President, if I had been left free to select from the whole mass of American citizens, was not the question submitted to my decision. I had no such liberty; but I was circumscribed, in the selection I had to make, to one of the three gentlemen, whom the people themselves had thought proper to present to the House of Representatives. Whatever objections might be supposed to exist against him, still greater appeared to me to apply to his competitor. Of Mr. Adams, it is but truth and justice to say, that he is highly gifted, profoundly learned, and long and greatly experienced in public affairs, at home and abroad. Intimately conversant with the rise and progress of every negotiation with foreign powers, pending or concluded; personally acquainted with the capacity and attainments of most of the public men of this country, whom it might be proper to employ in the public service; extensively possessed of much of that valuable kind of information, which is to be acquired neither from books nor tradition, but which is the fruit of largely participating in public affairs; discreet and sagacious; he would enter on the duties of the office with great advantages. I saw in his election the establishment of no dangerous example. I saw in it, on the contrary, only conformity to the safe precedents which had been established in the instances of Mr. Jefferson, Mr. Madison, and Mr. Monroe, who had respectively filled the same office from which he was to be translated.

[Mr. Clay here examines the resolution of the Legislature of Kentucky, and denies that it ought, under the circumstances, to have any influence on his vote. He says that the Members of the Legislature left their homes before the Members of Congress, and were not, therefore, better qualified to form an opinion in regard to public sentiment than he was. Moreover, he received a paper from a number of his constituents, requesting him to exercise his own judgment in giving his vote. He then proceeds:]

Entertaining these views, of the election on which it was made my duty to vote, I felt myself bound, in the exercise of my best judgment, to prefer Mr. Adams; and I accordingly voted for him. I should have been highly gratified if it had not been my duty to vote on the occasion; but that was not my situation, and I did not choose to shrink from any responsibility which appertained to your Representative. Shortly after the election, it was rumored that Mr. Kremer was preparing a publication, and the preparations for it which were making excited much expectation. Accordingly, on the 26th of February, the address, under his name, to the "Electors of the ninth Congressional District of the State of Pennsylvania," made its appearance in the *Washington City Gazette*. No member of the House, I am persuaded, believed that Mr. Kremer wrote one paragraph of that address, or of the plea which was presented to the jurisdiction of the House. Those who counselled him, and composed both papers, and their purposes, were just as well known as the author of any report from a committee to the House. The first observation which is called for by the address is the *place* of its publication. That place was in this City, remote from the centre of Pennsylvania, near which Mr. Kremer's district is situated, and in a paper having but a very limited, if any, circulation in it. The *time* is also remarkable. The fact that the President intended to nominate me to the Senate for the office which I now hold, in the course of a few days, was then well known; and the publication of the address was, I doubt, made less with an intention,