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PLEDG'D TO NO PARTY'S ARBITRARY SWAY WE RANGE WHERE RIGHT AND DUTY POINT THE WAY.

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## THE GALPHIN CLAIM.

SPEECH OF MR. E. STANLY, OF N. C., IN  
THE HOUSE OF REPRESENTATIVES,

Saturday, July 6, 1850.

The Report of the Select Committee, made on the Letter of the Secretary of War, concerning the payment of the Galphin Claim, being under consideration.

Mr. STANLY said:  
I regret very much, Mr. Speaker, that the House refused to lay on the table the report of the Galphin claim. I voted in a small minority to dispose of this matter by laying it on the table, and I did so with the view of enabling the House to proceed with the public business.

The appropriation bills, which are indispensable for the support of the Government, are not yet acted on. California is still cruelly kept out of the Union. Thousands of laboring men in our country are begging us to protect them from the effects of the British tariff of 1846—a tariff which we are informed gives great satisfaction to England. Hundreds of honest claimants are supplicating us to act upon bills reported for their relief. All these matters are demanding our attention, while we are wasting our time in ridiculous efforts to make, or to prevent making, party capital out of the Galphin report. Let the Government stand still—let California wait—let the British lion complacently smile at the folly of the Americans, who, boasting of their freedom, are making themselves as dependent on England as if we were still her colonies—let honest creditors suffer,—the Galphin claim alone demands all our patriotic consideration. If gentlemen on the other side of this Hall, who have elected their Speaker and their Clerk, and have control here, will insist in thus spending time, it is becoming and proper that we look into other matters of improper conduct among their friends.

But first, a few words on the Galphin claim. I regret, as every gentleman in the country must, that the Secretary of War continued to act as agent of this claim while he held his place in the Cabinet. It is a matter of taste and of delicacy, about which we may differ, as it seems we do differ. But I think there is an opinion nearly unanimous that it was not becoming in Mr. Crawford to act as an agent of this claim while he was in the Cabinet. As a member of a party, his conduct was inconsiderate, if not unkind, towards the other members of the Cabinet. But no honorable man has imputed anything dishonorable to Mr. Crawford. His conduct has been unfortunate and unwise, but his integrity stands fair and unimpeached.

The Whig party are no more to blame for this act of his, than the Democratic party is for Mr. Van Buren's bad conduct, or for the indelicacy or impropriety which marked the conduct of General Cass, in obtaining sixty-eight thousand dollars for extra allowances, which Congress never authorized to be paid, nor for his forming a company, while in the Cabinet, to speculate in public lands. Neither the conduct of Mr. Crawford nor of General Cass has been criminal. Both, in my judgment, have been unjustifiable. As Secretary of War, General Cass could have advantages which citizens of the country could not have. He had opportunities of enabling his company to monopolize the choice tracts of land, to know when they would be in market, and then to raise the price and sell them to settlers who were compelled to purchase. The Whig party have not endorsed, and never will endorse or sanction, Mr. Crawford's conduct. The Democratic party made General Cass their standard-bearer, 'unanointed and unanointed,' with all these sins on his head. When they shout 'Galphin, Galphin,' are we not justified in referring, Sixty-eight thousand dollars extra allowances—speculations in public lands? I do not intend to assail General Cass personally. I only refer to well-known facts. No Whig, who has any self-respect, or any regard for public opinion, will violate all the decencies of life by uttering such stuff in relation to this gentleman. And he who imputes dishonesty to either Mr. Crawford or Mr. Cass, merits and will receive the contempt of all fair-minded men. They will both comfort themselves with the reflection—

'Tis but the fate of place, and the rough brake  
That virtue must go through.'

It is only to be regretted that they did not further reflect, that

'Things done well,  
And with a care, exempt themselves from fear;  
Things done without example, in their issue  
Are to be feared.'

They are to be blamed for a bad example; they forgot that all things are lawful unto me, but all things are non-expedient.

A few words more on the Galphin claim. The act for the relief of Galphin is in the following words:

'Be it enacted, &c., &c., That the Secretary of the Treasury be, and he is hereby authorized and required to examine and adjust the claim of the late George Galphin, under the treaty made by the Governor of Georgia with the Creek and Cherokee Indians, in the year 1773, and to pay the amount which may be found due to Milledge Galphin, executor of the said George Galphin, out of any money in the Treasury not otherwise appropriated.'

Approved, August, 14, 1848.

The wrong in this case, if any wrong has been done, was in passing this act. I do not understand it is denied that George Galphin had a claim. It is admitted that under the treaty referred to, the claim of Galphin was admitted to be due. Then the act of Congress authorized and required the Secretary of the Treasury, to adjust the claim 'under the treaty made by the Governor of Georgia, with the Creek and Cherokee Indians, in 1773,' and to pay the amount which may be found due.' The Secretaries who paid the principal and interest, (Mr. Walker and Mr. Meredith,) were not to be blamed for obeying an act of Congress. Congress is to blame, not the Secretaries, if blame rests anywhere. And let it not be forgotten, Mr. Speaker, that Mr. Polk approved this bill; he seems to have been informed of the merits of the claim. How this is, can be explained, perhaps, by the honorable member from South Carolina, the chairman of the Galphin committee.

Mr. BURT, when he addresses the House. That gentleman now thinks, that the claim of the representatives of George Galphin was not a just demand against the United States. The gentleman did not think so in August 1848; for I have before me a letter, published evidently by authority, from a Georgia paper, which, as part of the history of this case, I read to the House.

[Here is the article which Mr. S. had before him:

From the Augusta (Ga.) Chronicle and Sentinel.

THE GALPHIN CLAIM.—MR. BURT.

You are requested to publish the following letter. The original has been sent to Washington:

WASHINGTON, 14th August, 1848.

'DEAR SIR: I have the pleasure to say that the bill in which you are interested has just been signed by the Speaker of the House, and will be approved by the President.

'With great respect, your obedient servant.

'ARMISTEAD BURT.

'Dr M. GALPHIN.'

Frail memories require remembrances. They are now supplied, because they are refreshing.

The bill for the relief of Galphin passed on Saturday, the 12th of August. It was approved on the 14th, (Sunday intervened.) Whose 'heifer was ploughed' with in the mean time? The 'will' of the then President was seen of as a 'fixed fact.' His approval was known in advance, or the guessing was so close as to have astonished the artistic skill of the East.

As 'a dolphin of the woods and a wild boar of the seas,' we subjoin the following resolution:

'That the claim of the representatives of Georgia Galphin was not a just demand against the United States.'

Verily, 'the pleasure' of '48 acidified in '50. It had a vinegar twang, and fit only for common 'pickling.'

In good sooth, the 'will' of the President was pinched, in 1848, into an 'approved' form. In 1850 it has been snubbed or smashed.

Oddsbodkins! Mr. Burt is clever on a congratulation and resolution. Let us be thankful, and watch.

OMEGA.]

Now, sir, it does seem that the gentleman from South Carolina had informed the President, Mr. Polk, of the merits of this bill.

Mr. BURT (Mr. STANLY yielding the floor for explanation) desired to say a single word, and no more. It was faintly in his remembrance that such a letter as the gentleman from North Carolina had

read, was hastily written by him at his desk in this Hall, for the purpose of saving the mail. But he considered it due to the President to say, that he had never had a word with that high functionary on the subject, and that he had no peculiar means of information. What he wrote was a mere expression of opinion.

Mr. STANLY. But the gentleman had evidently watched the progress of the bill with interest. As Mr. Polk had vetoed the French spoliation bill, he might with as much propriety have vetoed this; for Mr. Polk was Speaker, if I mistake not, in 1836, when the Galphin claim was discussed in Congress. The gentleman from South Carolina evidently thought the claim an honest one then, for he raised no objection, as he might have done. He seems to have been acquainted with the passage of the bill, and informed his friends—the bill 'will be approved by the President'; for he watched its progress with parental solicitude—watched when the Speaker signed the bill, and informed Dr. M. Galphin that the bill 'will be approved by the President.' The inference is irresistible, that the chairman of the Galphin committee had informed Mr. Polk of the merits of the bill; that Mr. Polk thought the claim was just and ought to be paid; and that he personally and officially approved the bill.

Then, as far as this is a party matter, Mr. Polk, who approved the bill, Mr. Walker who examined and paid the principal, and the chairman of the select committee, who stands high in the estimation of his party, who is chairman of the committee of Military Affairs—these three distinguished Democrats are as thoroughly 'Galphinized,' as any three Whigs can be, in or out of the Cabinet. Let it be principally observed, that in his testimony before the committee, Mr. Robert J. Walker said of the Galphin claim, 'the fact being of a peculiar character the claim for interest remains an open question.' And he also said, 'that if he entertained serious doubts on a question of law, and demanded the opinion of the Attorney General on that question, he would abide by his opinion.' The attempt is now made to give this matter a party aspect—to blame the Whig party for it. The gentleman from Ohio, on the committee, [Mr. Disney] has exerted his talents to the utmost on the question of interest. The gentleman has signally failed in his effort to justify Mr. Walker for paying the principal, and to blame Mr. Meredith for paying the interest. The gentleman, I take it, is no lawyer, if he ever studied law, he did so but a short while, and quit many years since, for he is evidently one of those scholars who 'holds the eel of science by the tail.' His speech has shown he was not well informed in legal matters. The law is a jealous mistress, and requires undivided attention; and when a lawyer turns politician, he soon finds his law knowledge leaves him faster than Bob Acres, courage oozed out at the ends of his fingers. I have no respect for the legal opinions of lawyer politicians. This same gentleman, in a speech made in the early part of this session, declared that though he held the Wilnot proviso unconstitutional, yet he should be glad of an opportunity of sending a bill with that proviso in it, to the President. To do a great right he would be willing to do a little wrong, was the argument used by the gentleman.

Now sir I want no better reply to this speech and argument of his on the Galphin business, than the fact, that he thinks he could support the Constitution of the United States, by sending an unconstitutional measure to the President! Truly, Mr. Crawford has little reason to be hurt at the opinion this gentleman may entertain of the propriety of his conduct.

But Mr. Speaker, I wish to call the attention of some of those who have come on the stage within two or three years past, to a dark page in the history of the Democratic party in this country. Some of the loudest in their denunciation are evidently uninformed in the history of Democratic 'Galphinizing.' I invite the attention of the youthful Democracy to reports of committees of 25th Congress, 3d Session, 1838-'39, Report No. 313. After the whole country had been astounded by the defalcation of Swartwort, and by the correspondence between Mr. Woodbury and certain receivers of public money, a committee was appointed, who investigated and made the report I have referred to. Let me mention a few cases in this report: Mr. William Linn was a receiver of public money at Galena. On the 23 of June, 1834—mark the dates—Mr. Taney, Secretary of the Treasury, began his complaints, that

Mr. Linn did not promptly deposit the money in his hands in bank. The correspondence continued by Mr. Woodbury, as Secretary of the Treasury, in October 1834, to January 26, 1838, when Mr. Woodbury informed him his resignation was accepted by the President; and Mr. Woodbury reported 'so large a balance stands unadjusted in your hands.' Balance due from Linn, fifty-five thousand nine hundred and sixty-two dollars and six cents, (\$55,972 06.)—Is this 'Galphinizing' or not?

Take another case. Rep. No. 313, page 167: W. P. Harris was receiver at Columbus, Mississippi. The correspondence with him commences in January 1834.—In March, 1834, the Secretary makes complaints of Harris's conduct. In August, 1835, Mr. Woodbury threatens to dismiss him. In the correspondence is a letter from John F. H. Claiborne, dated September 15, 1835, in which he speaks of Harris as 'one of the main pillars of the Democratic cause, and one of the earliest and most distinguished friends of the Administration in Mississippi. His family and connections are extremely influential, and all of them are co-operating with us in the arduous struggle which we are now making.' Mr. Harris is represented as an honorable man of diffused and deserved popularity. This letter was sent by Mr. Harris to the Secretary of the Treasury or the President.

In August, 1835—Mark the dates—Mr. Harris writes a letter to the President, tendering his resignation, in which he uses the following language, which I read:

'In conclusion, I will take the liberty of recommending to you, for appointment as my successor, Colonel Gordon D. Boyd, of Attala county. You are probably acquainted with his public character, as he has been for several years a prominent member of our State Legislature and has been throughout an ardent supporter of your Administration and an unyielding advocate of the principles of Democracy.'

He was also recommended as the 'warm personal friend' of W. P. Harris.

On page 184 of Rep. 313, is this short statement:

'Balance due from Mr. Harris, one hundred and nine thousand, one hundred and seventy-eight dollars and eight cents—(\$109,178 08.)—see statement.

Is this 'Galphinizing'—or only supporting the principles of Democracy?

Is this all? Not quite.

In December, 1836, Mr. Woodbury commences his correspondence with Colonel Gordon D. Boyd, and continued not quite a year. Remember, Colonel Boyd was an 'ardent supporter' of the Administration, and an 'unyielding advocate of the principles of Democracy,' the chosen successor of General Harris who enjoyed such a diffused and deserved popularity, and was one of the 'main pillars of the Democratic cause.' Well, what was the result of Boyd's appointment? In June, 1837, Mr. Garesche, appointed by Mr. Woodbury to examine the affairs of the office in Columbus, reported as follows, and I call the particular attention of the anti-Galphin orators to it. Mr. Garesche says to the Secretary of the Treasury:

'The man seems really penitent, and I am inclined to think, in common with his friends, that he is honest, and has been led away from his duty by the example of his predecessor, and a certain looseness in the code of morality, which here does not move in so limited a circle as it does with us at home. Another receiver would probably follow in the footsteps of the two. You will not, therefore, be surprised if I recommend his being retained, in preference to another appointment; for he has his hands full now, and will not be disposed to speculate any more.'—Page 189 of report 313.

And was Colonel Gordon D. Boyd, the 'warm personal friend of General Harris,' the 'ardent supporter of the Administration,' the 'unyielding advocate of the principles of Democracy,' the 'really penitent' Colonel Boyd—was he removed? No sir: on the 7th of October, 1837, Mr. Woodbury acknowledged the receipt of his resignation! On page 189, is this short statement:

'G. D. Boyd is indebted fifty thousand nine hundred and thirty-seven dollars, and twenty-nine cents, (\$50,947 29.) as per last settlement at the Treasury.'

Is this 'Galphinizing,' or only sustaining the principles of Democracy?

Next is the case of Littlebury Hawkins, receiver at Helena: on page 192 of the report, is this statement—

'Balance due from Mr. Hawkins, one hundred thousand dollars, (\$100,000.) as per last settlement at Treasury.'

'Mr. A. G. Mitchell, receiver at Cahaba, on page 194, is this remark—

'Mr. Mitchell, a late receiver at Cahaba, is indebted fifty-four thousand six hundred & twenty-six dollars and fifty-five cents,' (\$54,626 55)

The next case of Democratic 'Galphinizing,' is that of Mr. Childress, receiver at Helena, Louisiana: on page 199 of the report it is said:

'Balance due from Paris Childress, twelve thousand four hundred and forty-nine dollars and seventy-six cents,' (\$12,449 76.)

The next case is that of Mr. J. Allen, receiver at Tallahassee: on page 218 of the report, it is stated that—

'Mr. Allen is indebted to the Government, twenty-six thousand six hundred and ninety-one dollars and fifty-seven cents,' (\$26,691 57.)

Then there is a correspondence between Mr. Woodbury and Mr. Spencer, receiver at Fort Wayne. I wish to read one or two interesting extracts.

Mr. HARLAN stated, for the information of the gentleman from North Carolina and of the House, that Col. John Spencer was not now, nor at the time to which the gentleman refers, a defaulter to the Government, but, on the contrary, was both then and now a creditor of the Government; and a previous Congress and the Executive officers of the Government have so decided.

Mr. STANLY said, that he was glad to hear that one man had paid what he owed.

Mr. DUNHAM explained that Colonel Spencer was improperly set down as a defaulter, the Government being in fact in his debt.

Mr. STANLY. Was not judgement obtained against him by the United States?

Mr. DUNHAM. It was improperly obtained, and was afterwards released when the facts were made known.

Mr. STANLY said he should be glad to know how the release was obtained: was it because he was 'a pillar of Democracy?' But it was not the amount of the defalcation in this case that I was commenting on. It was to the reasons given by Mr. Hendricks, and Mr. Woodbury's answer, to which I ask attention—especially the reasons why Mr. Woodbury ought not to remove him.

After various compliments from Mr. Woodbury, Mr. William Hendericks writes to him in behalf of Mr. Spencer. In that letter Mr. Hendericks says:

'It would to some extent produce excitement, if he were removed, for he has many warm and influential friends, both at Fort Wayne and in Dearborn county, from which he removed to his present residence. Better let it be.'

In answer to this, 'Better let it be,' Mr. Woodbury wrote as short a letter to Mr. Hendericks as General Cass did to the Chicago Convention. Hear it:

Treasury Department,  
September 7, 1836.

Sir: Your letter of the 31st ultimo is received, and I am happy to inform you that Mr. Spencer's explanations have been such, that he will probably continue in office.

I am very respectfully,

Your obedient servant,  
LEVI WOODBURY,  
Secretary of the Treasury.

Hon. WILLIAM HENDERICKS:

The reason of Mr. Spencer continuing in office will be known, when we hear the following from his letter to Mr. Woodbury, dated October 26, 1836:

'My Democratic friends think that I ought not to leave, until after we hold an election for President, on the 17th of November, which I have concluded to wait.'

'The Democratic party—the election—the main pillars of the Democratic cause—the unyielding advocates of the principles of Democracy'—these were the reasons assigned for keeping men in office, who had neglected their duties, and kept the public money for their own purposes.

Let me say, Mr. Speaker, in parentheses, what I think of General Cass's letters. That he was more unfortunate in his Nicholson, than in his Chicago letter.

We never could agree in the South, in construing the Nicholson letter. General Cass was as clear and definite in his letter, as Launcelot, in the Merchant of Venice was, when he gave old Gobbo directions for finding the way to the Jew's house.

Gobbo.—Master young gentleman, I pray you, which is the way to Master Jew's?

Launcelot.—Turn up on your right hand, at the next turning, but, at the next turning of all, on your left, marry, at the very next turning, turn off on hand, but turn down indirectly to the Jew's house.'