

was. I saw its defects, and resolutely opposed it, almost alone of my party.— The second or third speech I made, after I took my seat, was in open denunciation of the system; and I may refer to the grounds I then assumed, the truth of which have been confirmed by time and experience, with pride and confidence. This will scarcely be selected by the Senator to make good his charge.

I pass over other instances, and come to Mr. Dallas's bank of 1814—15. That, too, was a party measure. Banking was then comparatively but little understood, and it may seem astonishing at this time, that such a project should ever have received any countenance or support. It proposed to create a bank of \$50,000,000, to consist almost entirely of what was called then the war stocks; that is, the public debt created in carrying on the then war. It was provided that the bank should not pay specie during the war, and for three years after its termination, for carrying on which it was to lend the Government the funds. In plain language, the Government was to borrow back its own credit from the bank, and pay to the institution six per cent. for its use. I had scarcely ever before seriously thought of banks or banking, but I clearly saw through the operation, and the danger to the Government and country, and, regardless of party ties or denunciations, I opposed and defeated it in the manner I explained at the extra session. I then subjected myself to the very charge which the Senator now makes, but time has done me justice, as it will in the present instance.

Passing the intervening instances, I come down to my administration of the War Department, where I acted on my own judgment and responsibility. It is known to all, that the Department, at the time, was perfectly disorganized, with not much less than 50,000,000 of outstanding and unsettled accounts, and the greatest confusion in every branch of service. Though without experience, I prepared, shortly after I went in, the bill for its organization, and on its passage I drew up the body of rules for carrying the act into execution, both of which remain substantially unchanged to this day. After reducing the outstanding accounts to a few millions, and introducing order and accountability in every branch of service, and bringing down the expenditure of the army from four to two and a half millions annually, without subtracting a single cent from either officer or soldier, I left the Department in a condition that might well be compared to the best in any country. If I am deficient in the qualities which the Senator attributes to me, here in this mass of details and business it ought to be discovered. Will he look to this to make good his charge?

From the War Department I was transferred to the Chair which you now occupy. How I acquitted myself in the discharge of its duties, I leave it to the body to decide, without adding a word. The station, from its leisure, gave me a good opportunity to study the genius of the prominent measure of the day, called then the American system, of which I profited. I soon perceived where its errors lay, and how it would operate. I clearly saw its desolating effects in one section, and corrupting influence in the other; and when I saw that it could not be arrested here, I fell back on my own State, and a blow was given to a system destined to destroy our institutions, if not overturned, which brought it to the ground. This brings me down to the present times, and where passions and prejudices are yet too strong to make an appeal with any prospect of a fair and impartial verdict. I then transfer this, and all my subsequent acts, including the present, to the tribunal of posterity, with a perfect confidence that nothing will be found, in what I have said or done, to impeach my integrity or understanding.

I have now, Senators, repelled the attacks on me. I have settled the account and cancelled the debt between me and my accuser. I have not sought this controversy, nor have I shunned it when forced on me. I have acted on the defensive, and if it is to continue, which rests with the Senator, I shall throughout continue so to act. I know too well the advantage of my position to surrender it. The Senator commenced the controversy; and it is but right that he should be responsible for the direction it shall hereafter take. Be his determination what it may, I stand prepared to meet him.

Mr. CLAY rose immediately after Mr. Calhoun had resumed his seat, and addressed the Senate as follows:

Disposition. Mr. President, under which I am laboring, would have prevented my attendance in the Senate today upon any less interesting occasion than that of listening to the promised reply of the Senator from South Carolina, (Mr. Calhoun.) Having done so, respectfully and attentively, I shall not ask for two or three weeks to prepare and digest what I have to say. Invulnerable to any attack from any quarter, self-armed and self-poised, I feel perfectly ready to respond to such parts of the speech of the honorable Senator as appear to require any notice from me.

The Senator commenced by a complaint of the omissions to my speech. I presume he means my speech as published.

[Here Mr. Calhoun rose, and said that

his allusion was to the omissions of the Senator from Kentucky as delivered— omissions to answer parts of his argument.]

Mr. Clay continued. I have given way once for an explanation; I shall permit no other interruption. I did not interfere with the Senator from South Carolina during the delivery of his speech, and he will have ample opportunity to reply when I have done.

Sir, the Senator from South Carolina habitually complains of omissions and misrepresentations of his speeches whenever his argument happens to be retorted. Now, I clearly understood him, and I think so did the whole Senate, to assert, in the outset of his former speech, that there was but a single alternative, the bill or the substitute. And I supposed his object to be to drive my friends and myself to the acceptance of one or the other branch of it. By way of excluding any other course, he assumed that we had abandoned all thought of establishing a Bank of the United States. Since I have shown that there was another course, which is, to do nothing, far preferable to the bill, the Senator says that it was very obvious!

Another allegation of the Senator is, that I have misrepresented him with respect to the power of the general government to contract with state banks. It seems that he did not intend to assert broadly that there existed an inability on the part of this government to make any such contract whatever, but it is the particular contract contained in the substitute which, he thinks, cannot be constitutionally made. The contract proposed in the bill with the state banks, being approved by the Senator, is all perfectly constitutional and right! The Senator goes for his own thunder, and against that of every body else. There was yet another contract with the state banks which had commanded the cordial approbation of the Senator, and that is contained in the deposit act of 1836. I think, Mr. President, it will be difficult for the ingenuity even of the Senator from South Carolina to maintain a competency to make those two contracts, and an inability to authorize that which is provided for in the substitute.

I am also accused of misrepresenting the Senator in respect to the reception of redeemable bank notes for the term of six years, as provided for in the bill. He thinks it entirely constitutional to make such a limited arrangement, whilst it would be, in his opinion, wholly inadmissible to continue for an indefinite time to receive such notes. The complaint of the Senator is, that I did not state the circumstances, conditions, and qualifications under which he proposes his temporary reception of bank notes. I do not think, Mr. President, that they can vary, in the smallest degree, the question of power. If, as contended for by the Senator, the constitution prohibits the reception of bank notes in dues to the government, the prohibition extends as well to a term of six years as to any indefinite time. The Senator seems to me to have some peculiar constitutional notions. The instrument in his hands is perfectly flexible and perpetually varying. He confounds expediency and constitutionality, and blends them so together, that it is difficult to discriminate the one from the other. He argues that we are so connected with the banks that we must ease off gradually, and not suddenly discontinue the use of their paper.

Now, sir, if my memory serves me, the Senator commenced his speech at the extra session by announcing that there was a total rupture between the government and the banks by the suspension of specie payments. The discontinuance still exists in fact and in law. The bill, which the Senator so warmly espouses, makes a contingent revival of it. In 1816, also, the connexion had altogether ceased in point of law. Then the Senator proposed a Bank of the United States. In both cases, if I understand him, he proceeds on the ground of practical inconvenience. Now, sir, I cannot for my life concur in making the constitution this nose of wax. It does or does not authorize a Bank of the United States. It does or does not authorize the reception of the notes of local banks. If the defect of authority for one or the other exists, it applies to all times, and under all circumstances. No considerations of utility or present convenience can possibly put in the constitution a power which we do not find there. The doctrine of the Senator in 1816 was, as he now states it, that bank notes being in fact received by the Executive, although contrary to law, it was constitutional to create a Bank of the United States. And in 1834, finding that bank which was constitutional in its inception, but had become unconstitutional in its progress, yet in existence, it was quite constitutional to propose, as the Senator did, to continue it twelve years longer! That is, it is not unconstitutional to prolong the existence of an unconstitutional bank twelve years, but would be very unconstitutional to create a new bank! Let us suppose that, prior to the expiration of the twelve years, a state of things should arise which would require a further continuance of the bank for another term of twelve years, might it not be done upon the principles of the Senator? And thus continued indefinitely? But, Mr. President, I will not dwell longer on the alleged misconceptions, on my part, or misrepresentations of the speech of the Senator. The Senate heard us

both, and our speeches are both published to the world. Mine has been prepared under my supervision. I recognize, and am willing to abide by it, just as it is; and I acquiesce most cheerfully in whatever judgment the Senate and the public may pronounce.

As to the personal part of the speech of the Senator from South Carolina, I must take the occasion to say, that no man is more sincerely anxious to avoid all personal controversy than myself. And I may confidently appeal to the whole course of my life for the confirmation of that disposition. No man cherishes less than I do feelings of resentment; none forgets or forgives an injury sooner than I do. The duty which I had to perform in animadverting upon the public conduct and course of the Senator from South Carolina, was painful in the extreme; but it was, nevertheless, a public duty, and I shrink from the performance of no duty required at my hands by my country. It was painful, because I had long served in the public councils with the Senator from South Carolina, admired his genius, and for a great while had been upon terms of intimacy with him. Throughout my whole acquaintance with him, I have constantly struggled to think well of him, and to ascribe to him public virtues. Even after his famous summer set at the extra session, on more than one occasion, I defended his motives when he was assailed, and insisted that it was uncharitable to attribute to him others than those which he himself avowed. This I continued to do until I read this most extraordinary and execrable letter; [Here Mr. Clay held up and exhibited to the Senate the Edgefield letter dated at Fort Hill, Nov. 3, 1837:] a letter of which I cannot speak in merited terms, without a departure from the respect which I owe to the Senate and to myself. When I read that letter, sir, its unblushing avowals, and its unjust reproaches cast upon my friends and myself, I was most reluctantly compelled to change my opinion of the honorable Senator from South Carolina. One so distinguished as he is cannot expect to be indulged with speaking as he pleases of others, without a reciprocal privilege. He cannot suppose that he may set to the right or to the left, cut in and out and chasser, among principles and parties as often as he pleases, without animadversion. I did, indeed, understand the Senator to say, in his former speech, that we, the Whigs, were unwise and unpatriotic in not uniting with him in supporting the bill under consideration. But in that Edgefield letter, among the motives which he assigns for leaving us, I understand him to declare that he could not "back and sustain those in such opposition, in whose wisdom, firmness, and patriotism, I have no reason to confide."

After having written and published to the world such a letter as that, and after what has fallen from the Senator, in the progress of this debate, towards my political friends, does he imagine that he can persuade himself and the country that he really occupies, on this occasion, a defensive attitude? In that letter he says:

"I clearly saw that our bold and vigorous attacks had made a deep and successful impression. State interposition had overthrown the Protective Tariff, and with it the American System, and put a stop to the Congressional usurpation; and the joint attacks of our party, and that of our old opponents, the National Republicans, had effectually brought down the power of the Executive, and arrested its encroachments for the present. It was for that purpose we had united. True to our principle of opposition to the encroachment of power, from whatever quarter it might come, we did not hesitate, after overthrowing the protective system, and arresting legislative usurpation, to join the authors of that system, in order to arrest the encroachments of the Executive, although we differed as widely as the poles on almost every other question, and regarded the usurpation of the Executive but as a necessary consequence of the principles and policy of our new allies."

State interposition!—that is, as I understand the Senator from South Carolina, nullification, he asserts, overthrew the Protective Tariff and the American System. And can that Senator, knowing what he knows, and what I know, deliberately make such an assertion here? I had heard similar boasts before, but did not regard them, until I saw them coupled in this letter with the imposition of a purpose on the part of my friends to disregard the compromise, and revive the high tariff. Nullification, Mr. President, overthrew the protective policy! No, sir. The compromise was not extorted by the terror of nullification. Among other more important motives that influenced its passage, it was a compassionate concession to the imprudence and impolicy of nullification! The danger from nullification itself excited no more apprehension than would be felt by seeing a regiment of a thousand boys, of five or six years of age, decorated in brilliant uniforms, with their gaudy plumes and tiny muskets, marching up to assault a corps of 50,000 grenadiers, six feet high. At

Mr. Calhoun insists that this paragraph in his letter does not apply to the Whigs, but to the Administration party. The clause is very ambiguous, and is susceptible of either interpretation. But if he really meant that he had no confidence in "the wisdom, firmness and patriotism" of that party, how could he unite with it to establish a novel and important system, confessedly fraught with prodigious consequences, which was to be entrusted to their execution?

the commencement of the session of 1832, the Senator from South Carolina was in any condition other than that of dictating terms. Those of us who were then here must recollect well his haggard looks and his anxious and depressed countenance. A highly estimable friend of mine, Mr. J. M. Clayton, of Delaware, alluding to the possibility of a rupture with South Carolina, and declarations of President Jackson with respect to certain distinguished individuals whom he had denounced and proscribed, said to me on more than one occasion, referring to the Senator from South Carolina and some of his colleagues, "They are clever fellows, and it will never do to let old Jackson hang them." Sir, this disclosure is extorted from me by the Senator.

So far from nullification having overthrown the protective policy, in assenting to the compromise it expressly sanctioned the constitutional power, which it had so strongly controverted, and perpetuated it. There is protection from one end to the other in the compromise act; modified and limited, it is true; but protection nevertheless. There is protection, adequate and abundant protection, until the year 1842, and protection indefinitely beyond it. Until that year, the biennial reduction of duties is slow and moderate, such as was perfectly satisfactory to the manufacturers. Now, if the system were altogether unconstitutional, as had been contended how could the Senator vote for a bill which continued it for nine years? Then, beyond that period, there is the provision for cash duties, home valuations, a long and liberal list of free articles, carefully made out by my friend from Rhode Island, (Mr. Knight,) expressly for the benefit of the manufacturers, and the power of discrimination, reserved also for their benefit. Within the maximum rate of duty fixed in the act. In the consultations between the Senator and myself in respect to the compromise act, on every point upon which I insisted, he gave way. He was for a shorter term than nine years, and more rapid reduction. I insisted, and he yielded. He was for fifteen instead of twenty per cent. as the maximum duty, but yielded. He was against any discrimination within the limited range of duties for the benefit of the manufacturers, but consented. To the last he protested against home valuation, but finally gave way. Such is the compromise act; and the Senate will see with what propriety the Senator can assert that nullification had overthrown the Protective Tariff and the American System. Nullification! which asserted the extraordinary principle that one of twenty-four members of a confederacy, by its separate action, could subvert and set aside the expressed will of the whole! Nullification! a stranger, impracticable, incomprehensible doctrine, that partakes of the character of the metaphysical school of German philosophy, or would be worthy of the puzzling theological controversies of the middle ages.

The American System, Mr. President, now so much denied, why I know not, unless it be because it be American, has advanced this country in the arts and in prosperity, at least half a century. I believed, and still believe it, eminently advantageous to all parts of the Union, and injurious really to none. In its origin it was denounced because it was alleged that it would dry up all the sources of our revenue from imports. Whoever will take the trouble to examine the early debates upon the subject will find that to have been the prominent and strong ground of opposition. The prediction being falsified, its opponents changed their position, and charged it with being the parent cause of the late great surplus in the public revenue. That surplus was in fact chiefly produced by the operation of the land system, and if the land bill which I introduced some years ago had been passed (a bill by the bye to which the Senator from South Carolina was opposed,) we should have avoided all perplexity in the disposal of that surplus, because there would have been none.

No one, Mr. President, in the commencement of the protective policy, ever supposed that it was to be perpetual. We hoped and believed that temporary protection extended to our infant manufactures would bring them up, and enable them to withstand competition with those of Europe. We thought, as the wise French minister did, who when urged by a British Minister to consent to the equal introduction into the two countries of their respective productions, replied that free trade might be very well for a country whose manufactures had reached perfection, but was not entirely adapted to a country which wished to build up its manufactures. If the protective policy were entirely to cease in 1842, it would have existed 26 years from 1816, or 18 from 1824; quite as long as, in either of those periods, its friends supposed might be necessary. But it does not cease then, and I sincerely hope that the provisions contained in the Compromise Act for its benefit beyond that period, will be found sufficient for the preservation of all our interesting manufactures. For one, I am willing to adhere to, and abide by, the Compromise in all its provisions, present and prospective, if its fair operation is undisturbed.

The Senator well knows that I have been constantly in favor of a strict and faithful adherence to the Compromise Act. I have watched and defended it on all occasions. I desire to see it faithfully and intolubly maintained. The Senator,

too, from South Carolina, alleging that the South were the weaker party, has liberally united with me in sustaining it. Nevertheless, he has left us, as he tells us in his Edgefield letter, because he apprehended that our principles would lead us to the revival of a high tariff. How stands the matter with the other party? It is known that the present Chief Magistrate voted for the bill of 1828, after, as has been asserted, having advised such a concoction of it as to ensure its defeat, and having held out to the Southern Delegation the hope that it would be defeated. On that occasion a late distinguished Senator from Virginia is reported to have said that he had deceived them once, and that was his fault, but if he ever deceived them again it would be theirs. The present chairman, in the Senate, of the Committee on Finance, was a member of the Committee on Manufactures in the H. of R. which prepared that bill of 1828, and we all know that both he and other leading members of the Administration party have again and again declared that they held themselves no more bound by the Compromise Act than by any ordinary act of legislation. It will be also recollect that at the very last annual session a test vote on my motion was given in respect to the Compromise Act, when every political friend that I have, except the venerable Senator from Tennessee, (who, for particular reasons, voted against us, but who assured me at the time that he had no intention of disturbing substantially the act.) voted for adherence to it, and every friend of the Administration, with one or two exceptions, voted against it. Here, Mr. President, are the eyes and noses.

On motion by Mr. Clay to recommence the bill, with instructions "to strike out of the bill all articles which at present pay a duty equal to twenty per cent. ad valorem; or upwards, as embraced by the act of the 23 March, 1823, commonly called the compromise act," it was determined in the negative.

Those who voted in the affirmative are: Messrs. Bayard, Black, Calhoun, Clay, Clayton, Crittenden, Davis, Evans, of Ohio, Hendricks, Kent, Knight, McKean, Moore, Morris, Prentiss, Preston, Rives, Southard, Spence, Swift, Tipton, Tomlinson, Wall, Webster—24.

Those who voted in the negative are: Messrs. Benton, Brown, Calhoun, Fanning of Illinois, Folton, Hubbard, King of Alabama, King of Georgia, Linn, Lyon, Mouton, Nicholas, Niles, Norvell, Page, Parker, Rives, Robinson, Roggles, Sevier, Strange, Tallmadge, White, Walker, Wright—25.

Thus we perceive that the Senator from South Carolina has left us, who have shown a disposition to maintain intolubly the compromise act, on which he has so often professed to believe that the security of the South depended, and has gone to the other party, which has exhibited a direct contrary disposition to disregard it. And who can doubt that, if it were necessary to the party in power to secure their places, they would revive the tariff much higher than it ever has been?

I have never desired, sir, to force any opinions of my own upon the people of this country, contrary to their will. I form my opinions from the best lights which I can command, and freely announce them. If they are unacceptable, at any time, to the country, I cheerfully acquiesce. With respect to internal improvements, that other part of the American system, which the Senator says he left us from an apprehension of its being revived, the state of the country is greatly altered since the power was first asserted and exercised. In my own State, and within a few years, we have completed and put in progress most of the improvements which are desirable there. And, in all the States, large and liberal appropriations of their own means, and great advances in their various works, have been made. When the land bill was under consideration, I stated that its passage would fully satisfy every reasonable expectation of the several States, in respect to means to be drawn from the general government, in regard to internal improvements. Since that period, a measure has been adopted nearly equivalent to the passage of the land bill, by which about \$30,000,000 have been placed in the power of the States, subject to their application to objects of internal improvements. And it, as I hope may prove to be the case, the land bill should at some future day be passed, scarcely another wish can remain as to the application of the means of the general government to works of internal improvement. In point of fact, larger appropriations have been made to that object by the present friends of the Senator from South Carolina, than by any preceding administration. He had, therefore, no motive to leave us and join them, from any apprehensions which he could justly entertain with respect to that system of policy.

The Senator from South Carolina proceeds, in his Edgefield letter, to say:

"I clearly perceive that a very important question was presented for our determination, which we were compelled to decide forthwith; shall we continue our joint attack with the Nationals on those in power, in the new position which they have been compelled to occupy? It was clear that, with our joint forces, we could utterly overthrow and demolish them, but it was not less clear that the victory would ensure, not to us