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DEBATE IN SENATE.

In Senate, Feb. 17, 1836.—The SPECIAL ORDER, Col. Benton's resolutions, being under consideration—

Mr. CALHOUN, after a few inaudible remarks, said he rejoiced most heartily that this country had been saved from the calamities of a French war—a war that must have been interminable and ruinous. The amicable relations between the two countries must be restored unless one unfortunate circumstance shall prevent it. He alluded to the last message of the President on the subject of our French relations, and an unfortunate speech which had been delivered on that floor since that message. If that message should unfortunately arrive in France before the differences between the two countries are settled, of if that speech of the gentleman from Pennsylvania, (Mr. Buchanan,) directly impeaching the integrity of the French King and his ministers, contrary even to the admissions of the President himself, no man could tell the consequences. The Senate would bear in mind that when he addressed them some time since on the subject, he expressed his deep regret that the President had not waited to hear what effect his annual message had in France before he sent in that one of so reprehensible a character. He had expressed his apprehensions that the second message would arrive in France before the first one had time to produce its effect. But thanks to a merciful Providence, this unwise, ill-timed quarrel had terminated. He rejoiced that such had been the result. When he heard the Senator from Pennsylvania, holding the relations that he did to the Administration, and acquainted as he was with the state of our foreign relations, rise in his place and use such language in reference to the French King and his ministers, and that too after the mediation was accepted, he felt the deepest apprehensions that war was determined on; but, thanks to an all-wise Providence, that calamity had been averted.

The Senator from New York had given a statement of what would be in the Treasury on the first of January next; and he presumed that that statement might be relied on. The amount would be twenty-six millions of dollars; but deducting the unavailable funds, as the Senator from New York very properly had done, the amount would be brought down to about twenty-five millions. The Senator also went on to deduct, as the Secretaries of the Treasury had been in the habit of doing for some years, the outstanding balances. But these balances ought never to be taken into the account; they were running accounts, and before they can be demanded, more of them will accumulate. The true amount, then, of the surplus in the Treasury on the first of January next, would be twenty-five millions of dollars. Now, sir, said Mr. C., it is delightful to see how time will confirm truth. Did not every Senator remember that, when he at the last session said they would have a balance of twenty millions in the Treasury in two years, that he was charged with making extravagant assertions—that his calculations were laughed at? Well then, time had come round, and he was more than justified in all that he said: so far from their not being twenty millions in the Treasury, there would be more than he had calculated on. The Secretary had admitted an error in his estimates, and that happening too in a space of twenty days. Was ever it heard of before that a chief financial officer of any government committed an error in his estimates of six millions of dollars, within twenty days of the determination of a quarter? This was the way in which our affairs were conducted. So help him Heaven, he had not, for six years past, looked into the estimates of the departments, without seeing errors that astonished him.

Sir, said Mr. C. we are constantly hearing of the defenceless state of the country. This song has been sung from beginning to end; and yet no man had undertaken to point out what particular fortifications were deficient, and what ordnance, what muskets, swords, pistols, and munitions were wanted. He could not himself undertake to say; but if the appropriations which had been made for such objects had been properly expended, as they no doubt had been, under the excellent arrangement of the War Department, we were in twenty times a better state of defence than we were in the last war which was carried on with so much credit to the country. Gentlemen spoke of the defenceless state of our fortifications, without naming one of them, and spoke with the confidence of a General Bernard or a General McCrea. Sir, said Mr. C. we are in an admirable state of defence; our fortifications are equal to our means. He had no wish, however, to stop the appropriations for fortifications. He wished these works to go on to a reasonable extent; but our principal reliance for defence must be on the navy. He had one great consolation for the difficulties he had encountered for fifteen years, in returning truth. Gentlemen who had warred against him on the very subject of fortifications, were now loud in asserting their necessity. He had to use every exertion, and to contend with the most strenuous opposition in favor of the system he had proposed. What would have become of these fortifications if he had given way to that opposition? He now had the proud satisfaction to see those gentlemen who then opposed him coming forward and strenuously pressing appropriations for these objects without sufficient magnanimity to do him justice. I again ask of gentlemen, said Mr. C. if you hold this language now, what ought to have been

your language and your policy seventeen years ago. But time, he said would go on, and those who had opposed him recently, would in a few years hence change their note. There was a storm brewing; and he advised them to be prepared for it. The spoils party, without principle and without policy, held together by nothing but the hopes of plunder, contained within themselves the elements of strife. Yes, there was a storm ahead, and he advised them to look out. That unfortunate measure of the administration against the Bank of the United States was now producing its consequences. They already saw the evils of an inordinate increase of the banking system; and the competition in the States for its extension, producing a state of things that must end in a violent revulsion. The surplus revenue, too—while it remained in the Deposit Banks, they were safe; but let it be withdrawn, and there will be a shock that will be felt throughout the country.

He had heard a great deal of the President's popularity. Any man possessing a moderate degree of intellect, and a moderate degree of firmness, with the means of the Treasury in his power, and under the circumstances in which the President was placed, could easily maintain that popularity. The opposition was exceedingly feeble. Did they not know that the opposition differed in its principles, and that at the very moment they approached to victory, they separated? Gentlemen laughed at this, but he would give them something they would not laugh at. The President was elected as a judicious tariff man; and although we of the South doubted him, we were compelled to take him rather than take a tariff man: we elected him, believing that he would oppose the tariff; but he deceived us grossly. We were compelled, however, to take him rather than take a tariff man; and the other party preferred him to a Nullifier. The President, on his election, took the middle ground, and used the power and influence of the Government to buy up friends from both parties. He arrogated to himself almost kingly power, which was kept up on the principles of the spoils party; a most contaminating, base and low minded system of policy. There were scarcely any acts of this administration but would, under other circumstances, have united the South; but he had divided it, and kept it divided. With the South divided, there could be but little opposition to any administration. The North never could make an efficient opposition. He would not go into the cause of this; nor did he intend any disparagement to the North by the assertion; he put it simply on the ground of the philosophy of the system. There could be no effectual opposition, then, but in the South; and, said Mr. C., they never gave us the chance of turning out an administration but twice, and we then did the business in high style and in short order. General Jackson was going out of power, and the administration that succeeds him could not keep the South divided. I tell the coming administration, said he, to look out. The President certainly had high qualities, which, said he, we do not look upon as existing in his nominee. He had courage and firmness, was warlike, bold and audacious; but he was not true to his word, and violated the most solemn pledges without scruple. He had done the State, too, some service, which was remembered greatly to his advantage. But his nominee had none of these recommendations; he had not, as his friend from North Carolina, (Mr. Mangum) had remarked, any of the lion or tiger breed about him; he belonged more to the fox and the weasel, and had not the firmness to keep the South divided.

Mr. WALL: Unused and unaccustomed to the course of proceedings in this House, when he heard the gentleman from South Carolina, on a former occasion, proclaim that it was on this floor that the great battle of liberty against power was to be fought, he was disposed to enlist under his banner, as he avowed himself the champion of liberty. Indeed, if he had not entered into such contest on the side of liberty, he felt that he would have been unfaithful to his constituents, thousands of whom would, at the first battery, rush to the aid of liberty. He cordially united with the honorable gentleman also in the wish, that the doors of this Chamber should be opened, and, if possible, that the whole American people should witness the contest. But he could not repress the expression of his astonishment at the kind of battle that he found was to be fought; and if this was to be the character of it, he should regret the presence of even the small audience whom the limits of the gallery could accommodate. He should have felt mortified and humbled, if the eye of the whole American people should have witnessed the manner of the onslaught this day made. What was it? It was an onslaught against the constituted authorities of the country; against the first and second officers chosen by the People; against the sacred principles on which our Government was founded; an onslaught against the officer whose constitutional duty it was to preside over our deliberations, and not in a situation to defend himself. And how was this onslaught made? Was it made in the courteous and chivalrous bearing of the gallant soldiers of liberty warring against power? Was it made in language consistent with the decorum and dignity of a legislative body? In his humble judgment it was not, and it was time that this manner of debate should cease in this Chamber.

Sir, I have witnessed this day, what I never expected to have witnessed, in this or any other deliberative body. The President of the United States has been charged with falsehood and deception on this floor; and the President of this body, the chosen officer of the people, had been assailed—he would not say in what language; but he would say in language which in his opinion, one gentleman ought not to use in reference to another and unsuitable to the decorum of this body.

[M. CALHOUN here requested the gentleman

from New Jersey, to say what language it was that he had used, inconsistent with decorum]

Mr. W. resumed. No, sir, I shall not undertake to do it. The gentleman could not induce him to repeat that language, for he deemed it highly improper, and unsuited to the dignity of this body. I refer the gentleman to his whole speech.

Sir, I have witnessed another thing in this body, which I never expected to have witnessed in an American Senate. While the Senator from South Carolina hesitated not to make such grave charges, and denunciations against the chosen officers of the people of this country, he had arraigned an American Senator for daring in his place to challenge the sincerity and good faith of a foreign monarch in his negotiation with this country; for investigating and examining the conduct of that monarch, and draw such conclusions as his judgment had sanctioned, and express it in courteous language. Yes, sir, while the honorable Senator hesitates not to charge the Chief Magistrate of this people with falsehood, he expresses his apprehension, that the language of the Senator from Pennsylvania, used in his place, in the strict discharge of his duty, will give offence to a foreign monarch. Sir, if this is the way in which the battle of liberty against power is to be fought, that gentleman need not search for metaphysical causes to account for the division of the South. Sir, I shall enlist under no such banner. It is a war against the power of the people.

Mr. CALHOUN said, if the Senator from New Jersey had offered him the usual courtesy, by giving way for an explanation, and stated, what it was he objected to, he would have made the necessary explanation; as it was he could only say, that he uttered no such thing as that imputed to him.

Mr. PRESTON said that the Senator from New Jersey had held a language in reference to phrases used by his honorable colleague, to which he begged leave to say one word in reply. Any proposition made by his colleague he knew very well that he was able to defend—he should not incur him in offering his aid; but when he is denounced for using language which I, said Mr. P., in my heart approve, I cannot permit the denunciation to go abroad without sharing in it. The gentleman from New Jersey referred to the contest to be fought between liberty and power, and I say, continued Mr. P., that if the contest did not originate here, it is made when we are not permitted to speak to the administration in terms that we believe to be true, without being denounced for it. It was a contest between liberty and power, and adverse to liberty. He would not agree that they were not to open their mouths against those who stood in high places without being charged with a want of decorum. He would not deny that a proper degree of courtesy in that body that both becoming and necessary; but, on the other hand, he was more remote from that spirit, whether it be the spirit of the molten calf, or that prostration and debasement of spirit that would seal the lips against questioning the conduct of those in power. The President of the United States certainly demanded a degree of forbearance from his political opponents; but am I to be told, said he, that we can only allude to him in the humble language of a degraded Roman Senate, speaking of their Emperor with his Pretorian guards surrounding the capitol? Am I to be told, when he came into power on principles of reform, after "keeping the words of promise to our ear, and breaking it to our hope"—am I to be told: that I must close my lips, or be denounced for want of decorum? Am I to be told when he promised to prevent official influence from interfering with the freedom of elections that I must not speak of the broken promise under pain of the displeasure of his friends? Am I to be told, when he came into power as a judicious tariff man, after my advocating his principles and aiding in his election, believing at the time in his integrity, though I did not believe him possessed of intellectual qualities—am I to be told, after pledges that have been violated, promises that have been broken, and principles set at naught, that I must not speak of these things as they are, for fear of being denounced for want of courtesy to the constitutional authorities? Why to what pass are we come? Are we to be gagged—reduced to silence? If nothing else, said Mr. P., is left us, the liberty of speech is left, and it is our duty to cry aloud and spare not, when the unadvised, admitted, and declared fact is before us that these pledges have been violated. This administration is about to end, and if gentleman can succeed in preventing us from complaining of being deceived—if they can reduce us to abject slavery they will also have to expunge the history of the country, the President's written and recorded communications to Congress, and the most ardent professions of his friends when fighting his battles, before they can conceal the recorded fact that he has made pledges which he has violated and promises that he has repeatedly broken. If, said Mr. P., they succeed in reducing us to slavery, and closing our lips against speaking of the abuses of this administration, thank God, the voice of history trumpet tongued, will proclaim these pledges, and the manner in which they have been violated, to future generations.

Neither here or elsewhere, said Mr. Preston, will I use language with regard to any gentleman that may be considered indecorous; and the question, not easily solved, was, how far we shall restrain ourselves in expressing a just and necessary indignation; might not be considered a departure from courtesy. That indignation, that reprobation, he would express on all occasions. But those who took upon themselves the guardianship of the Grand Lama, who was surrounded by a light which no one was to approach—about whom no one

was permitted to speak without censure, extended that guardianship to the presiding officer of that House. Gentlemen were not permitted to speak of the qualifications of that officer for the highest office in the Government lest they may show a want of decorum to the constituted authorities of the country. Shall we, sir, said Mr. P., because he is here as presiding officer of this body, keep silent, when he is urged upon the People, who are goaded and driven to his support, lest we be guilty of *la e majestatis* against those who are the constituted authorities of the country? Thank God said he, it is not my practice to "crook the pliant hinges of the knee, that thrift may follow fawning." The practice he alluded to foreboded much evil. Coming events cast their shadows before them, deepening and darkening, and as the sun sets, the shadows lengthen; and it may be the going down of the great luminary of the Republic, and that we all shall be enveloped in one universal political darkness. A spirit had got up, which, unless it was successfully resisted, indicated a most diseased state of the body politic. He trusted that an all-wise Providence would, out of this confusion, yet produce some good for our common country. But if the principles which the gentleman from New Jersey had pressed so far prevailed, we are done, said he—we are gone. If I cannot, said he, be permitted to speak of the President or his successor, or the constituted authorities of the country, in terms that I think they deserve, we are done, and it is useless to continue the debate longer. He rose in his place to protest against such principles.

Mr. WALL, in answer to Mr. PRESTON, said, that he could not consent that gentleman should take a false position. He was not disposed to be tried on a false issue, or that the honorable gentleman should bring on the trial of a false issue. The gentleman seems to think that I and those with whom I act, wish to abridge the freedom of debate. The gentleman is mistaken. Did I or any one else, attempt to interrupt the debate, to stop the first gentleman from South Carolina, in the course of debate? Did he not say what he chose how he chose and of whom he chose? And how have I attempted to abridge the liberty of debate? I have dared to express an opinion of the manner in which the gentleman exercised his right. Had I not a right so to do—to judge whether it was consistent with the knightly bearing of a gallant soldier of liberty fighting against power? Does the gentleman mean to monopolize liberty? I shall not consent to it without a struggle. I repeat, were the gentlemen ever stopped in the freest course of debate? Yet when I express my sentiments of that course, I am to be reproached as bowing my suppliant knee to power, as the minion of power. Sir, I tell the gentlemen, that they shall not monopolize the liberty of debate. I shall maintain my rights, without abridging theirs. Sir, thank fortune, the people of this country do not weigh or judge of our devotion or attachment to liberty by our professions. They judge by our acts. I am willing to be judged. But I hope the gentlemen will permit me to profess to be as devoted to liberty as they are. I can assure the gentlemen that they do me great injustice; they make a great mistake, if they really suppose that I or my friends wish to abridge the liberty of speech. Let them enjoy it in all its breadth and width, even to its utmost verge; let them speak of the constituted authorities of the people in whatever language suits them; let them make any distinct issue, any specific charge, and they will be met without shrinking; let them put their finger upon any act of the constituted authorities of the country and they will be met, and I venture to assert overthrown. But it is against general denunciation and sweeping abuse, and the manner of it, that I object. Sir, it may be owing to my ignorance; it may be owing to my incapacity to distinguish; it may be owing to my inexperience in parliamentary usages; but I must claim the privilege of persisting in that objection.

Sir, I do not rise to enter into this debate, but being up, I must object to the position and attitude which the honorable gentleman from South Carolina seem disposed to assume for themselves and their friends, as the only exclusive friends of liberty on this floor. Sir, they are mistaken; gentlemen here, who do not follow their lead, and perhaps never will follow it, are as much devoted to the great principles of liberty as they can be and will go as far in their support and defence.

I beg leave to make another remark. The gentleman has alluded to the contest for the next Presidency, and said that "coming events cast their shadows before." Be it so. My constituents did not send me here to make Presidents for them. That is a business that they like to do in another manner. I am sent here for other purposes, and shall endeavor to confine myself to my appropriate duties. If, sir, the opposition thus announced to an administration not yet formed, and as yet unknown, is to come, it may be that we may gather from the past the issue of the future. Sir, we are taunted about expunging the acts of the President, No, sir, no friend of Andrew Jackson, and if I may venture to predict, no friend of his country—when the acts of Andrew Jackson, as President of the United States, come to be recorded by the impartial pen of history, would wish to see one act of his administration expunged. They will add to the proud monuments of his country's glory.

Mr. NILES said: I feel impelled to submit a few observations in reply to what has fallen from the honorable Senators from South Carolina. I am not opposed to the freedom of debate either here or elsewhere. I am an advocate for it, within reasonable limits; but, sir, I have heard language which I have not been accustomed to hear, not having been long a member of this body. When I hear the foul

est imputations, the charge of falsehood and the violation of pledges, cast upon the highest officer of this Government, and a venerable man and high functionary, who is the subject of these uncalled for and provoked assaults, stands in no need of defence from me, one of the humblest members of this body; he has no need of a defence from any one; yet I have felt it a duty, occupying a seat here, to say a few words to repel the unfounded charges which I have just heard with surprise and astonishment. Sir, if there is any occasion for a voice to be raised here in vindication of that illustrious man, this is the only place where it can be necessary. Every where else, sir, his fair fame, his great reputation, are well protected; they are safe in the hands and hearts of the people of this whole country. Yes, sir, Andrew Jackson is safe in the hands of the people, the whole people, in every section of this extended Union; in the South, in the West, in the middle, and in the North; he is safe, he is strong in their confidence, their affections, and their unshaken reliance on his integrity, his firmness, and his patriotism; they have watched his public career; they have examined his acts; they have scrutinized his motives; they admire his firmness, his patriotism, his moral courage, and his devotion to his country. This venerable patriot, who is here charged with violating his pledges, has a stronger hold on the confidence and affections of the people than any other man now living. He has been tried, sir, in various ways; three times he has been before the whole people, and has received a stronger testimony of their unshaken and increasing confidence and approval, than any other man has or can receive.

Sir, I repeat, that Andrew Jackson and his well earned reputation are safe in every place but one, and I shall name where that place is before I sit down; yes, sir he would be safe even within the marble walls of that corrupt institution, which in the discharge of a high official duty, his giant arm humbled in the dust.

Where, then, is the place in which he is not safe? Sir, I will tell you where that place is—it is in this hall. Here it is that he has been arraigned, tried and condemned unheard, without any opportunity to confront his accusers or make his defence; arraigned and condemned in violation of that constitution which we have all sworn to support, in disregard of those forms which the laws of the land have provided, and denied the privilege of entering his protest against your illegal proceedings. Here it is, sir, in this hall, that the reputation and fair fame of this illustrious patriot, has from time to time been maligned, assailed and traduced. Sir, there has, since the year 1824, been a great political problem before this country, the solution of which has greatly puzzled and troubled many of our great men. This problem is, to discover the cause of Andrew Jackson's popularity. This great question, so deeply interesting, and so marvellous to some has brought into requisition the highest talents, and greatest erudition; statesmen, orators, and writers of all descriptions have tried their hands and pens in attempting to unfold this great secret. But the explanations they have given, have been in direct conflict with each other, and all wide of the truth.

For several years, it was insisted, that the popularity of General Jackson rested entirely on his military reputation, and that enthusiasm which prevail among the people towards a military chieftain. Sir, on the very day that this venerable patriot was sworn to the faithful discharge of the duties of his station, a distinguished statesman, now a member of this Senate, publicly declared in this city, that, in this free republic, a military chieftain was elevated to the highest station of power against the intelligence and enlightened judgment of the nation, as a short time before, another military chieftain had raised himself to power in another republic, in this Western hemisphere. From that time, for several years the election of Andrew Jackson, which astonished some gentlemen so much, was attributed to the folly and enthusiasm of the people—to their being swayed and carried away by the military services and fame of a military hero. This statement rung a thousand changes, and was presented in a thousand forms. Even in public orations, it was declared by distinguished statesmen, that the intelligent and well informed portion of the people had no agency in the elevation of the President; that his election had been brought about by the "hurrah boys," and those who knew just enough to shout "hurrah for Jackson." This explanation of the President's popularity, however, satisfactory for a time, did not continue to satisfy all of those who felt so deeply interested in this question. Other explanations were put forth.

The honorable Senator from Tennessee, coming from the same State as the President, has in a recent speech assigned a different cause for his election. He tells us, it was the result of the strong feeling which prevailed against the abuse of executive influence being brought into conflict with the freedom of elections, that the people raised Andrew Jackson to the Presidency. Whether this circumstance had any influence on that election, it is not my purpose to examine; I am only pointing out the different causes which have been assigned as the solution of the great political problem.

But the honorable Senators from South Carolina have given an entire different explanation of the President's popularity at the south. They inform us that it was wholly owing to his being regarded as a moderate tariff man; and that, despairing of the success of any candidate opposed to the tariff, they had united on him, as a choice of evils. We are then told, that the President deceived and betrayed his southern friends, and violated his pledges; he gave his sanction to a high tariff, even the odious act of 1828. Sir, I do not understand