

QUESTIONS · OF · THE · DAY

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PARTIES
AND PATRONAGE

TYLER

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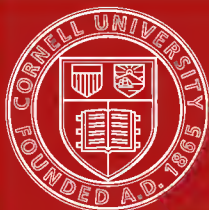
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QUESTIONS OF THE DAY—LXVIII.

PARTIES AND PATRONAGE

IN

THE UNITED STATES

BY

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"To place and power all public spirit tends,
In place and power all public spirit ends."

Thomas Moore.

G. P. PUTNAM'S SONS

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PARTIES AND PATRONAGE.

I.

WHAT IS THE SPOILS SYSTEM?

IT seems to be the opinion of many writers that the spoils system had its origin with Andrew Jackson, because of the numerous removals made by him of subordinate officers during his administration of the national government. But the view thus taken is, at best, a narrow and imperfect one. To confine the spoils system to removals from office or to hold a particular president responsible for effects the causes of which exist, in great measure, independent of his will, is a singularly unphilosophic way of looking at things.

To begin with removals from office is to begin at the wrong end at any rate, for the object of a partisan removal is a partisan

appointment. The office has to be filled, in the first place, before the removal can be made. But both partisan appointments and partisan removals are far from commensurate with the meaning of the term "spoils system." "Spoils system" should be a general term applicable to all those consequences flowing from an abuse of the patronage of the government; for the corruption of the civil service, involved in its partisan administration, is indissolubly connected with the measures which corrupt the men that control and the men that constitute the civil service. As long as the present system prevails of high tariffs, vast appropriations, enormous expenditures, operating without any man or state knowing how he or it is affected by them, good, earnest, brave men like George William Curtis, ex-President of the Civil-Service Commission, will labor and labor in vain to effect reform in the offices. It is a suggestive fact that the English civil service was not reformed until its illiberal commercial system had been finally abandoned.

I think it easily demonstrated, therefore, that civil-service corruption has flourished most when the powers of the government have

been strained to their widest construction ; for it is then that we find, necessarily, private and individual interests blending proportionably with the operations of governments. And as in nearly every instance in which the pecuniary forces of the nation have been brought into operation, their springs of action have been local or temporary, guided by no fixed principle such as is to be found in the relative population and property of the several States, it is natural to look to those periods in our history when the Federal government has assumed to itself most authority, for the most conspicuous exhibition of the system so much deplored. I think it also can be shown that partisan action has flourished least during those periods and those administrations when the powers of the government have been exerted with less frequency or with something approaching greater equality among the States and sections of the Union. Not always is a party name significant of the same attitude borne by its members towards the subject in question ; for party, after all, is as variable as the men that compose it, and thus the same party may hold at different times entirely different

principles, and be first the enemies of civil-service corruption and next its devoted advocates and friends.

I propose, in the pages that follow, to show the truth of the general statement made above, by examining—very briefly, it is true—the leading features in the history of the several parties that have contested the government of the Union. I think it will assuredly appear—assuming the explanation of the spoils system to be what I have stated it to be, the result of principles rather than of individual action—that the evil of which we complain began at a much earlier date than Andrew Jackson's administration, having, in fact, its origin during the organization of our national government from 1789 to 1801, and, while never entirely suppressed, flourishing most according as the same general principles of party administration have been, during different periods, admitted and recognized.

II.

THE FEDERAL PARTY, 1789-1801.

IT will be remembered that after the formation of the Federal Constitution at Philadelphia, in 1787, it was submitted for adoption or rejection to the conventions of the several States. Opinion was nearly unanimous at the time that the powers vested, under the Articles of Confederation, in the Federal government were insufficient for the discharge of its proper responsibility; and yet there was with many a very natural apprehension that the language of the proposed Constitution was not as fixed and definite as it might be. These last, called Anti-Federalists, proposed a new convention to remove these imperfections, whether real or apprehended; nor did their acknowledged patriotism and elevated character suffer a doubt to remain of the honesty of their purpose. By a large

element of the country, however, the Constitution was esteemed definite enough; and long and fierce were the debates which accordingly ensued in the conventions of the several States. At length, however, the party in favor of the adoption of the Constitution prevailed; but in the forefront of its columns stood the money power of the land, which saw in the increased authority accorded to the new government immense opportunities for further development.¹

Hammond, in his political history of New York,² declares that the old divisions of party, formed on the question of adopting the Constitution, continued on what was a consequence of the adoption, the construction of its terms. In the distribution of individuals upon one side or the other of this line, it is not to be supposed that many anomalies did not occur. That among the Federalists were to be found the great majority of those who had

¹ Mr. Chas. Francis Adams says that the Federalists "would never have succeeded in effecting the establishment of the Constitution had they not received the active . . . co-operation of all that was left in America of attachment to the mother country, as well as of the moneyed interest, which ever points to strong government as surely as the needle to the pole."—Adams' "Adams," i., p. 443.

² Hammond's "New York," i., p. 30.

supported the cause of the Constitution, and most of those who had continued loyal to the mother country during the Revolution, is certain. And equally certain it is that the Republican party contained within its ranks a decided majority not only of the Anti-Federalists, but of those who had most strenuously fought the battle of independence.¹

On the very first occasion, after the adoption of the Constitution, for a conflict of issue, viz., the elections to the first Congress in 1789, party lines were sharply drawn. The success of the Federalists was assured by the aid received from the public creditors ; and in the unequal and arbitrary methods of public policy, at once pursued by the government which they had brought into power, is to be seen the necessary price of their support.

¹ This statement is made on the authority of Charles Francis Adams, "Life of John Adams," i., p. 442, and of Hugh Blair Grigsby, "Convention of 1788," i., p. 32. Grigsby shows that long before 1789 parties had been formed not only on State topics but on those connected with the Federal government. In Virginia the men who in 1765 had opposed Henry's resolution on the stamp act ; who in 1775 had opposed his resolution in favor of arming the Colony ; who had opposed the Declaration of Independence ; who had opposed the adoption of the Articles of Confederation, were in the main warm advocates of the adoption of the new Constitution.

England was taken as the model ; and in this model, as presented at that period, were illustrated all the evils of the spoils system.

A vast range of patronage had been built up in that country, and in the administration of its rich and powerful interests the English civil policy rioted in every form of corruption. Commissions, offices, and posts of honor were sold to the highest bidder, and the wholesale bribery of voters was the ordinary course of the elections from an office in Parliament to the humblest position in a shire. The great features on which this patronage was founded were the vast funded debt of England ; the Bank of England, with its enormous agencies throughout the civilized world ; the odious tariff and commercial system then prevailing, but now happily abandoned ; and the complex organization of an army and navy, —all demanding the creation of thousands of offices and the employment of thousands of office-holders.

We are told by William Grayson that, as soon as Congress assembled, in 1789, it was at once besieged by an "infinity" of office-seekers and creditors, who "looked to Congress for

some provisions in their favor.”¹ To satisfy them measures similar to the English system were recommended by Hamilton, the Secretary of the Treasury, under Washington. These measures, though often of the first importance in their proper nature, were rendered by the way in which they were passed into law the occasion of almost universal corruption.

At that time there was afloat in the United States a considerable debt which had grown out of the Revolutionary war. This debt was of two kinds—the debt proper of the United States, and the debts of the several States. In the case of both, the evidences thereof, bonds, etc., had passed from those to whom they were originally due into the hands of speculators and stock-jobbers. Whatever the motive, Hamilton, in administering the duties of the Treasury department, proposed that the government should assume the payment of

¹ “The creditors of the domestic debt (the great supporters of the new government) are now looking steadfastly on their friends for a permanent provision in their interest. . . . There are an infinity of persons here waiting for offices. Many of them have gone home for want of money. This accounts for the great number of patriots who were so very sanguine for the new government.”—Grayson to Henry, “The Letters and Times of the Tylers.” i., p. 168.

these debts; and the funding and assumption acts by which, after a long contest in Congress, the deed was finally accomplished, became famous in the annals of the Union.

This much may be said of them, that, if they had been properly shaped and honestly carried out, they would have been undoubtedly of great value in giving stability and character to the government, and have recommended themselves to the cordial approval of the American people. But was this the case? It happened that many speculators of the Eastern States owned an undue proportion of the Revolutionary certificates of debt, which, in most instances, had been purchased from the poor soldiers, who could not wait for their redemption, at merely nominal rates. James Madison and the other Virginia representatives wished to pay the purchasers at the highest market-price and give the rest to the original holders. But the Federalists thought otherwise. The whole was paid at par to the speculators, and the soldiers were thus cheated out of their hard-earned wages.¹ Yet as to

¹ Rives' "Madison," iii., pp. 76-90. Mr. Stone, of Maryland, said that "it is a fact that the greatest part of the Continental debt

the Continental paper money which had been made a legal tender, it was virtually repudiated under the funding act.

In respect to the State debts, the facts were worse. Some of the States, since the close of the war, had made laudable endeavors to pay their obligations. Others had received more than their share of advances from the Federal government. To carry out his general plan of strengthening the Federal government by drawing about it the support of the creditor class, Hamilton proposed the assumption, in gross, of the State debts, without any previous adjustment of accounts. The result was that the other States became thus obligated, through the Federal taxation, to pay the debts of the States of New England, it appearing from a list of the State debts accompanying the Secretary's report that more than one half of the aggregate State debts were due from those States and South Carolina.¹ The burning

has travelled eastward of the Potomac."—*Annals of Congress*, 1789-1791, p. 1982. The principle of Madison's proposition, though voted down in the funding bill, received from both Congress and the Executive a distinct recognition in another matter.—Rives, iii., pp. 88-90.

¹ Massachusetts was to be rid by the assumption act of \$4,000,000, whereas, according to Federal representation, her just quota of the

protest of the legislature of Virginia against this corrupt action is the first in that long series of protests which finally ended in war.¹

Of the scenes of corruption that ensued, by virtue of these unjust and unconstitutional proceedings, Mr. Jefferson is a witness. Couriers and relay horses went galloping by land, and swift-sailing pilot-boats were sailing by sea, and agents were employed in every State to buy up, for two shillings on the pound, paper and certificates of debt, before the holders knew that Congress had already provided for their redemption at par.²

After the same English model, the Federal-

whole amount assumed (\$21,500,000) was \$2,646,153. Virginia, on the contrary, had paid \$2,000,000 of her debt since the peace, and had funded the balance at six per cent. interest, which was regularly paid. But no credit for this was allowed under the assumption act. Jackson, of Georgia, charged that the representatives of South Carolina did not voice the opinions of her people.—*Annals of Congress*, 1789-90, p. 1749. See Rives, iii., pp. 91-122.

¹ Rives, iii., p. 149. Hen. Stats. Mr. Gallatin clearly showed that, by the assumption in the way conducted, a purely gratuitous debt of more than \$10,000,000 was saddled upon the country.—“Views on the Finances.”

² “Jefferson’s Works.” Mr. Madison, Gen. Henry Lee, and Jackson, of Georgia, confirm Mr. Jefferson’s statements. Lee, in a letter of August 24, 1791, says concerning a journey from Philadelphia: “My whole route presented to me a combined scene of stock gambling.” See Rives, iii., pp. 76, 144, 145.

ists created a national bank, enacted a tariff system of protection for New England interests, established a bounty system for the fishermen, an internal-revenue system,¹ and organized an army and navy; but the good inherent in some of these measures they almost entirely neutralized by the inequalities of their application and the recklessness with which they disregarded all constitutional limitations in defending them. The manner, too, in which many of the representatives in Congress shared in the spoils of their own votes is unsurpassed in shamelessness.²

How could the lust for private gain, sharpened by these measures, be restrained from attacking the civil service of the government? Their natural operation demanded the creation of numerous offices, for their proper execution and enforcement; and we

¹ These measures were all shown to be in the interest of the New England States. As to the first tariff, see Grayson's letter, Tylers, i., p. 167. As to the bank, see "Prospect before Us," *Annals of Congress*, Rives, and newspapers of the day.

² Among those who made money in this way were Smith, of South Carolina (Randall's "Jefferson," i., p. 606), and Theodore Sedgwick and James Hillhouse, of Connecticut, the second named a Speaker of the House of Representatives.—Wood's "Adams," p. 138, "Sedgwick & Co."

have the emphatic testimony of William B. Giles,¹ and many others of high authority, that as soon as they were created they were filled with "fierce and relentless partisans." Hammond says that as the appointments by Washington, in New York, were made on the representation of Hamilton, John Jay, and General Schuyler, all the Federal offices, from chief-justice down to marshal, were filled for political effect with Federalists.²

And the same thing occurred in Virginia,³ where the district judgeship, the most important Federal office in the State, was given to Cyrus Griffin, a Federalist, instead of to John Tyler, who, as Judge of the State Court of Admiralty, which had been superseded by the aforesaid District Court, considered his non-nomination a removal from office. And Tyler, to whom the office was afterwards re-

¹ *Annals of Congress*, 1801-2, pp. 579-82.

² John Jay was appointed Chief-Justice; James Duane, Judge of the U. S. District Court; Richard Harrison, U. S. District Attorney; and William Smith, Marshal—all decided Federalists, and opponents of Governor Clinton. Hammond, p. 30; Tylers, i., p. 168.

³ John Blair was appointed Associate-Justice of the U. S. Supreme Court; Edmund Randolph, U. S. Attorney-General; Cyrus Griffin, Judge of the U. S. District Court; John Marshall, District Attorney; and Edward Carrington, U. S. Marshal—all of them Federalists.

stored by President Madison, speaking of this action of the Federalists, which was made the principle of appointment in all similar cases, despite the natural pretensions of the incumbents of the old offices under the States to the new offices substituted for them under the Constitution, declared that "this kind of conduct began the strong distinction between parties, producing a spirit of retaliation on the part of the Republicans."¹ In 1796, Senator Henry Tazewell, writing² to James Monroe, declared that every important officer south of the Potomac had been succeeded by one north of it, save two—Monroe and Iredell,—and the

¹ Tylers, i., p. 246.

² "Mr. Pinckney, and Mr. Short, having signified a wish to be recalled, the President this day nominated Rufus King to succeed the former at the Court of London, and Col. Humphreys to succeed the latter at Madrid. Blair, of Virginia, has resigned his office as judge, and Chase, of Maryland, has succeeded him. Rutledge, of South Carolina, who had been appointed Chief-Justice of the U. S. in the place of Mr. Jay, in the recess of the Senate had accepted and acted, was refused by the Senate. So that you will discover that every officer So. of the Potomac has been succeeded by men north of that line. In fact, Iredell, of No. Carolina, and yourself, are now the only officers of the Gl. Ct. S. of Potomac who hold imminent positions. I doubt not that your place will be supplied by some one No. of that river. The conduct of the President in other instances, prompted as he is by men who wish your recall, leads to a suspicion that he may yield to their importunities." MS., Philadelphia, 14th May, 1796.

former, also, was soon after removed by his recall from France. It was worse after Washington left the government in 1797, and John Adams, typifying the full English idea of patronage, succeeded.

The Federalists in possession of the State offices kept pace with the national government. In New England the town politics had been long a source of spoils and corruption, and Mr. Gerry, of Massachusetts, had alluded in the Federal convention to the base character of the men who got into the Legislature of that State by the dirtiest means.¹

So open were the attacks made in Massachusetts on the freedom of elections, that John Adams himself condemned them as "unwar-

¹ Mr. Gerry said: "In Massachusetts the worst men get into the Legislature. Several members of that body were lately convicted of infamous crimes."—"Madison Papers," p. 801.

Massachusetts was the first colony to issue paper money which largely depreciated. As she took the lead in the business, so she went beyond all the other colonies in the amount of their issue.—Phillips' "Paper Currency," p. 100. Governors were elected and turned out as the different interests happened to prevail. "The paper currency was an easy way," says Phillips, "to pay old debts."—p. 105.

Complaint had been made in the *Boston Gazette*, while the Massachusetts Convention of 1787 was sitting, that money had been employed by the Federalists to corrupt members; but though a committee was appointed to enquire into the charge, no report was made.—"Elliot's Debates," ii., p. 50.

rantable and indecent.”¹ In Connecticut, as in Massachusetts, a system of restricting the ballot to a list of official nominations made by an oligarchical interest had long prevailed; and by an act passed in 1801 the Federalists were confirmed in the possession of Connecticut until the convention of 1818 at length modified the objectionable laws.² In Rhode Island, which had witnessed the whole Supreme Court driven from their seats in 1786 for daring to maintain the Constitution against an arrogant legislature, scenes of a similar character were enacted. Rhode Island continued a close oligarchy until Dorr’s Rebellion in 1842 produced a change.

In New York, the Federalists appear to have resorted to every art to defeat the election of George Clinton³ for governor, in 1789, and in 1801 De Witt Clinton roundly

¹ “John Adams’ Works,” i., p. 474.

² The law required the ballot-box to be sealed up, and to remain so until the Legislature met. In the meantime the voters were at the mercy of the counters. Professor Baldwin’s “Early History of the Ballot in Connecticut”; American Hist. So. “Papers,” iv., p. 81; Wood’s “Adams,” pp. 256-9.

The practical effect of similar laws in Colonial Massachusetts was to continue the Assistants and Selectmen in office for life.—Perry’s “Historical Collections” (Massachusetts), p. 21.

³ Tylers, i., p. 168. “He gave me such an account of his business as shocked me.”—Grayson to Henry.

charged,¹ in the Council of Appointment, that "the administration of the State had been in hands which had made all the appointments in one way, to the exclusion of a large proportion of the people." And in Virginia, where the Federalists obtained possession of the County Courts, which nominated all the officers in the counties, a despotic domination was established—all the more grievous, because, though constituting but a small fraction of the people, they were, under the Constitution, in office for life, and "nothing short of a convention could break up the junto."² As late as 1816, Jefferson writes of a family of Federalists in Virginia who got possession of the county bench early in the history of the government, and "never admitted a man upon it that was not of their clan or connection." A circular-letter was issued by the Governor to correct such inequalities, but no attention was paid to the recommendations it contained.³

¹ *National Intelligencer*, September 7, 1801.

² "Jeff. Works.," vii., p. 18. William Munford's address on the necessity of a convention (1799).

³ James Blake, and George Summers, writing from Fairfax County in 1810, complained of the slight paid to the Executive, and said that "out of five Federalists recommended by the last court for justices, four lived in the same neighborhood where there were four

Distrust of the people, and jealousy of his personal prerogatives, appear to have been the characteristics of John Adams; though in talent and personal integrity he was far superior to the race of speculating and stock-jobbing "aristocrats" by whom he was surrounded. The popular uprising in Massachusetts, during the year 1786, seems to have prepossessed him strongly against popular government, and this spirit of distrust was shown in an inordinate affectation of English ideas, which ran through the whole category of high-sounding titles, court levees, and society dress.¹

According to his own letters, Adams censured Washington, who had appointed a few Republicans to office, and prided himself on his "cautiousness" in this respect. In Congress his mouth-pieces—Bayard and Otis—laid down, with a precision worthy of Marcy, the principle of the spoils. The first an-

acting magistrates before, and in one case a young man was nominated who lived in the same house with his step-father, also a justice, whilst in other parts of the county the people had to ride ten miles to a justice."—MS. State Archives.

¹ Grayson wrote: "It is said that he (Adams) was the *primum mobile* in the Senate for the titles for the President, in hopes that in the scramble he might get a slice for himself."—Tylers, i., p. 169.

nounced¹ "that the politics of the office-seeker would be the great object of the President's attention, and an invincible objection if different from his own," and the latter² that "the pecuniary claims of Henry Miller for extra clerk's hire," occasioned by his leaving his office to electioneer for Adams was "a paltry consideration infinitely outweighed by the service he was rendering his country" in so doing.

Adams throttled the press by the sedition laws,³ and debauched its editors by numerous appointments to office in Virginia⁴ and elsewhere. In the difficulties with France, he would not rely upon the militia, which was probably all right, but what was certainly all wrong, he made the political principles of the volunteers, authorized to be raised, the test of their acceptance to fight for their country.⁵ Tax-collect-

¹ *Annals of Congress*, 1797-98, p. 1232.

² *National Intelligencer*, August 14, 1801.

³ The press on both sides was equally abusive, but the hand of the government fell on the Republicans only. Many were sent to cruel confinement in jail for months.—Wood's "Adams"; *National Intelligencer*.

⁴ In Virginia, Davis and Green, two editors, were appointed to office.—*Richmond Enquirer*, 1804.

⁵ Nicholas complained that "the only preference for volunteers that occurred to him was, that the President had the appointment of

ors¹ and judges, even those of the highest stamp, turned active electioneers. This was hardly to be wondered at when men like Jay, Marshall, and Ellsworth, whose personal purity is unquestioned, saw no impropriety in uniting the highest judicial functions with political offices which almost necessarily made them partisans. It is an historic fact that, while acting as chief-justices, all three accepted missions abroad or offices quite as incompatible at home, sometimes on the same day issuing reports in their political character and delivering judgments in their judicial.² The chief-justices communicated the disease to their associates in a more malignant type. At the beginning of August, 1800, Judge Chase left the bench to stump

the officers of those corps, whereas the militia officers were appointed by the State Governments." He read an extract from a letter of the Secretary of War to an officer of high rank in the militia of Virginia, which declared that "it was proper that there should be presented certificates from prominent and known characters, setting forth the principles of the associates—those of the officers especially."—"Deb. on the Res. of Virginia and Kentucky," p. 205.

¹ "In some parts of this State the assessors of the direct tax were lately distributing from their pockets 'The Cannibal's Progress' and other infamous publications of the same kind."—*Richmond Examiner*, Oct. 21, 1800.

² Wharton shows that there was no precedent even in England for such blending of judicial and ministerial duties.—Wharton's "State Trials," Preliminary Notes.

the State of Maryland in behalf of Adams' administration, and the result was that the Supreme Court, Ellsworth the Chief-Justice being then on the French mission, was left for a whole term without a quorum.¹

One would suppose that the Federalists, who had had the first filling of the offices, would have had few occasions to turn any one out. But as the election in 1800 approached, Adams appears to have had some matters to settle on this score as well. Adams removed William Gardner, Commissioner of the Loan Office at Portsmouth, N. H., because he would not sign an address of flattery. Wood says that, "the same system of persecution was immediately extended over the whole continent. Every person holding an office was obliged to resign, or adore Mr. Adams as the Augustus of the New World. A catalogue of such expulsions would fill a pamphlet."²

¹ In Massachusetts the chief-justice in a charge to a grand jury denounced "the French system-mongers from the quin-tumvirate at Paris, to the Vice-President (Jefferson) and minority of Congress, as apostles of atheism and anarchy, bloodshed and plunder." Wharton says there was not a charge to the grand jury "which was not, at the same time, a party harangue."—*Ibid.*

² Two other persons were removed at the same time with Gardner—the captain of the revenue cutter at Portsmouth and the Collector of

There were men of the highest worth who, even then, saw in this action of Mr. Adams all the evil that ever developed under Jackson or any of the carpet-bag governments established in the South after the late war.¹

After his defeat by Jefferson in 1800, Adams increased his efforts to enlarge the patronage of the government. A systematic attempt seems to have been made by the Federalists to pack

the Revenue. The people of Portsmouth had been notified in advance by Russell, a printer in the interest of the government, that the signing would be considered as a test, and after the refusal to sign of the parties mentioned, he called loudly upon the government "to tumble them from their offices."—*Richmond Examiner*, Jan. 17, 1800; *Richmond Enquirer*, May 17, 1805.

In Philadelphia, Dr. James Reynolds was removed from the dispensary because he was an Irishman and a Republican. Thereupon, his five associates also resigned and their places were filled with Federalists.—*Ibid.* See also Callender's "Prospect before Us." The *Richmond Examiner* further said that, "in the Spring of 1798 several persons at Philadelphia were turned out of bread because they voted for Israel instead of Morgan, as Senator for the Assembly of Pennsylvania. Mr. Israel, it is true, is a Republican." The removal of Tench Coxe produced complaint from many good men. The Federal historian, Hildreth, speaks of him as "a mousing politician," but until he attempted to prove Adams to be a monarchist he stood high in the opinion of the administration. Coxe retained through life the warm friendship of Jefferson and Madison.

¹ Mr. Nicholas condemned the conduct of the administration in bribing men with offices, and removing them "for daring to hazard an opinion of an adverse character," and predicted great abuse in the future.—"Debates on the Resolutions of Virginia and Kentucky," p. 205.

the judiciary. That department, it was true, was already filled with men who did not hesitate to electioneer and exhibit their federalism from the bench in the most indecorous manner; but to provide for still other partisans, a bill was introduced after Mr. Adams' defeat for re-election in 1800 to erect thirty-six new judgeships, to be called Circuit Courts. Late in the last session of his term of office, the bill was hurried through Congress and the appointments placed in his hands. Adams did not hesitate in the exercise of his power. Without even a feeling of shame that he was appointing men to office for life whose principles had been just condemned by the people, and without even waiting to know whether the district judges would accept the new places in the face of the storm which ultimately swept away the law, he instituted a system of amotion from one bench to the other, and even nominated, in the cases of Mr. Reed and another person, two of the very members of Congress who had voted for the bill, to the vacancies thus enforced in the District Courts. Now, the Constitution said that all judges should hold "during good behavior," and yet it actually happened, as one of the results of Mr. Adams'

zeal, that two persons held the same commission at the same time from the Executive to perform the same duties, while the office to which the promotion was made remained vacant. In the case of Mr. Green, who voted for the bill, such was the extreme culpability or negligence of Mr. Adams, that he was actually commissioned to the bench of the Circuit Court, although the Constitution forbade the appointment of a member of Congress to any civil office under the authority of the United States, "which shall have been created or the emoluments whereof shall have been increased during the term for which he was elected."¹

But this is not half the story of the closing session.

An inspection of the Executive Journal is enough to surprise any person even in this day of indiscriminate proscription. A perfect army of surveyors, collectors, judges, were sent to the complaisant Senate for their approval. The chiefs of the repudiated regency

¹ Giles' speech. *Annals of Congress*, 1801, p. 581. Wood, p. 336. The Federalists excused themselves by pleading the business necessity for Circuit Courts, but this could not be allowed as long as judges of the highest courts had time to run on political errands, closing up court in the meantime.—Wharton's "State Trials."

treated themselves to high offices. John Marshall made himself Chief-Justice for life, and yet held on to the office of Secretary of State; Theophilus Parsons was made Attorney-General; Harrison G. Otis, of the Essex junto, who had persecuted Jefferson with the utmost party virulence, became District Attorney of Massachusetts; and James A. Bayard, of the Senate, was made Minister Plenipotentiary to France. Down to twelve o'clock of the night of March 3, 1801, the work went on; and when all the important offices were filled, Adams busied himself making appointments of justices of the peace for the District of Columbia. But at that hour Levi Lincoln, the Attorney-General appointed by Mr. Jefferson, entered the office of the acting-Secretary of State, John Marshall, bearing Mr. Jefferson's watch in his hand, and required him to surrender the place and all its papers. Judge Marshall was forced to retire, casting a farewell look upon the commissions lying on the table, and in after years used to laugh, and say that "he had been allowed to pick up nothing but his hat."¹

¹ "Domestic Life of Jefferson," p. 308.

The Federal régime drew at last to an end, and never were people more rejoiced than the Republicans were, who complained that the past presented an endless vista of outrage and corruption; offices made the prey of wire-workers and bitter partisans who had reviled¹ Jefferson without limit; extortion, speculation, and stock-jobbing among men high in authority²; the judiciary polluted by political intrigue; espionage studiously encouraged³; nepotism favored in the highest places⁴; and what was worse than all, the base attempt made by the Federal party in Congress to steal the presidency from Jefferson and foist Aaron Burr upon the nation—a gigantic at-

¹ John Randolph said that "every epithet of vituperation was exhausted upon Jefferson." "Debates, 1828," p. 1323.

² Sedgwick, Speaker of the House of Representatives, had speculated largely in paper certificates coming under the assumption laws. More unblushing still was Jonathan Dayton, Speaker of the House of Representatives in 1796, who used his office to secure the passage of a bill to locate military warrants, in which he was largely interested, his published letters to his agents being of such a character as to induce his request "to burn them."—Wood, 158, note 1.

³ The spy, Oram, was celebrated.—Wood, p. 126.

⁴ Adams appointed his son, J. Q. Adams, his son's father-in-law, Mr. Johnson, and his brother-in-law, Col. Smith, besides other relations, to important offices. Jefferson said that Adams "infinitely degraded himself by his conduct on this subject, as General Washington had done himself the greatest honor."—"Jefferson's Works," iv.; p. 388.

tempt at spoils without parallel in any period of our history.¹

Such were the complaints of the Republicans, and it must be admitted, looking at the plain facts in the case, that they were founded on much that was true. It is certain that there is not a single feature of the "spoils system," as practised by Jackson, or at any other period of our history, that had not its prototype in the decade immediately preceding the close of the eighteenth century.

Adams' last act was one calculated greatly to mortify his warmest admirers. After busily filling all the offices down to a late hour of the night of March 3, 1801, he disappeared in the night-time, with his cabinet and hangers-on. Not even his biographer and grandson can justify this act, though he seeks to excuse the weakness of the step by ascribing some of the trouble to a sad family bereavement two weeks before. Adams is said to have shed tears at his defeat,² and such was the extreme desper-

¹ Mr. Charles Francis Adams observes that "by this act the great Federal party . . . sunk into obscurity and disgrace; martyrs to the false and immoral maxim that the end will sometimes justify the means."—"Life of John Adams," i., p. 595.

² Tucker's "History of the United States," ii., p. 137.

tion of some of the Federalists that the suggestion was made to him that he should appoint himself Chief-Justice, with a commission to take effect as soon as his presidential tenure terminated.¹ In Connecticut in the spring of 1801 the last frantic act of the Federalists was to sweep the offices of all Republicans.²

¹ Randall's "Jefferson," ii., p. 626.

² Rayner's "Jefferson," p. 397. Among other sins to be imputed to the Federalists is the first of the series of personal flagellations in Congress. Lyon of Vermont and Griswold of Connecticut came to blows in the presence of the Speaker.

III.

THE REPUBLICAN PARTY, 1801-1825.

JEFFERSON came into power at a time when the Republicans of Pennsylvania and New York had begun to retaliate upon the Federalists for their systematic exclusion from the offices. There could have been no accident in this exclusion, for the design was apparent in the fact that the more adept the party was in hurling billings-gate at Jefferson or Virginia, the more certain was he of an appointment from Adams. In Virginia Charles Symmes, who had revived the story of Jefferson's running away in terror from the British during his governorship, was Naval Collector at Alexandria.¹ The papers were unanimous in saying that where Adams did

¹ The *Enquirer* sets out many certificates in favor of Jefferson's administration of the State, but the best evidence exists in the fact that he received, the thanks of the General Assembly (in a speech addressed to him by the Speaker, John Tyler.—See Tyler's certificate, *Richmond Enquirer*, Sept. 10, 1805).

not directly remove he caused the resignations of all opposed to him in politics, and appointed others "in whom he could confide for an adherence to all his measures."

The difference, however, after all between the parties in a particular section is only one of degree, and so the principles of the Republicans in the tariff States of Pennsylvania and New York, controlled as they were by the same general purposes, were nearer the principles of the Federalists of New England than the principles of the Republicans of the South. Hence far from pursuing the example of McKean in Pennsylvania and De Witt Clinton in New York, of removing in retaliation the Federalists from the offices, Jefferson and his successors, Madison and Monroe, naturally adopted those ideas of public policy which they had learned at home.

Now to say that these ideas were opposed to removals from office is only stating part of the truth. They were opposed to the spoils system in all its forms and attitudes. And this opposition itself sprang from what bordered

¹ The *National Intelligencer*, Aug. 26, 1801; *Richmond Enquirer*, May 3, 1805; Wood; "Jefferson's Works."

on a passion with the Virginia people—jealousy of government.

Indeed, it is a curious fact that while New England was intensely aristocratic and monarchical after the Revolution, on Virginia, nearly half of whose people were slaves, devolved the honor of preserving republican principles in America. Jefferson was not the author of these principles, he was only their expression. Spotswood recognized their existence as early as 1712¹ when he complained of the Burgesses “for their Republican ways of thinking”; and Dinwiddie,² when he spoke of the insolence of the House in sending their mace-bearer “within the bar of the Supreme Court and taking away the ministers of that Court as were members of their House.” They cropped out in the Bill of Rights; in the resistance made to the British; in the prostration of the Established Church; in the adoption of the elective system of study at William and Mary³;

¹ “Spotswood Letters,” i., p. 132; ii., p. 1.

² “Dinwiddie Papers,” ii., p. 403 (1756).

³ So intense a Republican was Bishop James Madison, President of William and Mary, that in his sermons he would never speak of Heaven as a *kingdom*, but as that great republic where there was no distinction of rank and where all men were free and equal.

in the opposition made to the adoption of the Constitution ; in the simplicity of manners and dress everywhere cultivated ; and lastly, with respect to the offices, in the limited power of the governor under the Constitution, the civil-service examination to which under the State law all surveyors were subjected by the faculty of William and Mary College, and in the disapproval by the people and the large majority of the Virginian delegation, including the two first senators, R. H. Lee and Grayson, of the removal power of the President. If in the absence of an organized system of schools, in the presence of negroes and the slow movements of business, there was much to be deplored in the condition of things in Virginia, seldom has the world seen a greater moral elevation, or a more noble simplicity and integrity of character, than that which the general society of the State enjoyed at this time.¹ The con-

¹ Giles boasted in the State convention of 1829-30 :

“ This most honorable celebrity, in favor of Virginians, had been manifested on many occasions and in various ways since the abandonment of all moral principles, and the introduction of an unprincipled bargaining, huckstering, and trafficking in the legislation of the Federal government alike degrading to its authors and the government. It has been particularly attested by the acknowledgments and declarations of the busy authors themselves of this unprincipled

traditions of human history are such that this result need not excite surprise, even with the most skeptical.

To the "spoils system" at any rate the Virginia doctrines were averse¹; and Jefferson could not be otherwise than averse to it also. As soon, therefore, as he entered on his duties, he applied himself to reducing the patronage of the government to the level of that simplicity to which he was accustomed in Virginia. In the abolition of the court etiquette, levees, aristocratic toilets, high-sounding titles, and formal speeches from the throne, an immense stride was taken in the direction of honesty and simplicity in the

trafficking course of legislation. It has often been observed, when a proposition was made of introducing a Virginian into any of these trafficking schemes, it is in vain to apply to him. *He is a Virginian.* Virginians never abandon their principles to their interests."—P. 910.

¹ Webster in his speech in Richmond in 1840 declared that "Virginia more than any other State in the Union had disavowed and condemned the doctrine of removals from office for opinions' sake."—"Works," ii., p. 99.

"Mr. Coalter considered the gentleman from Rockbridge (Mr. Moore) as having pronounced one of the greatest eulogiums that ever was uttered on any government. He was here during an election for governor and did not hear the name of the candidate till after the election."—"Debates Va. Convention," 1829-30, p. 719. The State officers were not disturbed by the change of parties until after 1834. Tylers, i., p. 524.

government, and when Jefferson addressed himself to the offices the principle of his action was in direct conflict with that of the Federalists, who had "excluded from place every shade of opinion which was not theirs."

The sin of the Federalists had consisted in the passage of measures which had spread demoralization far and wide throughout the nation, by subsidizing thousands of speculators and multiplying the offices, the appointments to which they monopolized. While unable to have all the measures repealed, Jefferson made many very desirable reforms in the general administration. I mention a few only :

The amount of force, including regulars and militia, which the several acts of the preceding administration had authorized the President to raise, was considerably over 100,000 men. This formidable army, which would have been without criticism if it had been employed as it should have been long before, in resisting the encroachments of the French and the British, was out of place in view of the peace policy of the times. Accordingly, Jefferson very properly reduced it to four regiments of infantry, two regiments of artillery, and two troops of

light dragoons. A host of lucrative places went out with the reduction.

Proceeding next to the civil establishment, he withheld all commissions to justices¹ of the District of Columbia, and others, which the Adams administration had not had time to issue. The inspectors of the internal revenue, who had been brought into office by the mere authority of the Executive, he discontinued in a mass. Calling in the aid of Congress, he next had the late judiciary act and the internal-revenue laws repealed and in so doing closed up three fourths of all the offices, containing an army of stipendiaries.²

¹ Marbury, one of the justices, applied to the Supreme Court for a mandamus to compel Jefferson to deliver his commission, but the application was refused.

² Tucker's "Jefferson," ii., p. 120.

There was no way, however, to rid the government of John Marshall, who continued for years to impress upon it a policy condemned by the overwhelming voice of the people during the rest of his life. The great talents of Marshall and his purity of character as an individual alone rescued his memory from the odium attaching to the other "midnight judges." His position as Secretary of State, as it seems to me, renders his acceptance of the office of Chief-Justice at the time he did, highly censurable. Adams could not have acted worse if he had indeed appointed himself Chief-Justice, as he was urged to do. What would people nowadays think of a Chief-Justice who would dine with a party under indictment of high treason? And yet Marshall dined with Burr during trial.

No new appointments were made to any of these positions, and in disarming the Federalists, Jefferson rescued his own motives from imputation by surrendering freely his own patronage and authority. Of the remaining one fourth left in office, Jefferson removed under one hundred in eight years, and promoted Republicans to the vacancies. But what was that small number compared with the hundreds and hundreds of partisan appointments and removals made by the Federalists?

Under James Madison there were only five removals during eight years, and under James Monroe only thirteen.

Under all three presidents, in fine, whatever their mistakes, everything like speculation, personal interest, and private favor was discountenanced and condemned. During all their rule of twenty-four years no measure was passed into law which brought one dollar more into the pockets of the Southern people than was brought into the pockets of the Northern. The very measures which excited most complaint—the embargo and non-intercourse laws—bore heavily upon the exports of the South. And while we may quarrel with

Jefferson and Madison for bearing the insults and outrages of France and Great Britain so long, they have an apology in the fact that the opposite party were even more timid and cautious than themselves. Some idea of the national demoralization occasioned by the acts of the Federalists may be gained from the fact that the capture and imprisonment by the English of *six thousand* of our citizens cost the New England States (among the first to resist the tyranny of the British in 1775), not one half the concern that the restrictions of the embargo did for a single year.

We may smile at Jefferson's ideas of a proper navy, and bewail the new lease of life given reluctantly by Madison in 1816 to the gigantic monopoly of the United States Bank, and the construction given by Monroe in favor of unlimited appropriations on the part of the government ; but no one can read the messages of these great men without recognizing the fact that their influence and authority were not to be purchased by sectional or partial interests. They fully recognized the advantages of manufactures, education, and internal improvements, but they would never have approved, and

never did approve, the unblushing system subsequently made popular, by the revival of Federalism, of subsidized personal interests under the name of "protection," and the American system. All three presidents constantly recommended, in doubtful cases, a recourse to the States under the amendment clause of the Constitution¹; and they all earnestly urged that in the collection of the public funds the tax should fall where its weight would be lightest, and that in the expenditures the surplus of revenue accruing after the payment of the actual running expenses of the government be "repartitioned" among the States according to the principles of justice suggested by population or otherwise, whether this took place in an actual transfer of the funds

¹ Jefferson doubted the constitutionality of the annexing of Louisiana; but as the power of acquiring foreign territory is amply given by treaty, by act of Congress, and by act of a State with consent of Congress, it only showed his extreme anxiety to respect constitutional limitations. However, if Jefferson violated the Constitution in respect to this and other measures, it does not justify the sins of the Federalists, as Dr. von Holst, Schouler, and other writers would seem to argue, nor prove the impracticability of the strict construction view. Rather the reverse; for if the possession of power was too great a temptation for men of Jefferson's views, this only showed that the Federalists, who openly boasted of their contempt of Constitutional limitations, could not be trusted.

to the States or in a distribution controlled by the government itself in behalf of improvements within them.¹

¹ Jefferson, in his second inaugural address, March 4, 1805, advised that "the surplus be applied by a just repartition among the States and by a corresponding amendment of the Constitution, in time of peace, to rivers, canals, roads, arts, manufactures, education, and other great objects within each State." In his message of December 2, 1806, he states that "the great mass of the articles on which impost was then paid are *foreign luxuries*, purchased by those only who are rich enough to afford themselves the use of them."

IV.

THE AMERICAN SYSTEM AND THE SPOILS SYSTEM, 1824-1841.

AT the end of Monroe's administration, the Republican party held the field in solitary triumph. The Federal party, fatally shocked by the results of the war of 1812 which they had opposed, had passed away. But this was no evidence that their principles had done so. On the contrary, it was now that the policy of the "American system" was adopted. In plain terms this policy meant an appeal to the cupidity of contractors in the West and manufacturers in the North and East to batten on the fruits of all the other industries of the Union. The policy fell with peculiar hardship on the South, which had no manufactures and was not likely to have any as long as slavery continued there. But the very fact of slavery helped the policy

with its supporters, since it always served them as a convenient excuse for ascribing to slavery, which hurt the South greatly, the evils of the tariff, which injured it hardly less. The American system was another name for the "spoils system," since the tariff and roads and canals that it contemplated meant anything that a mere sectional majority in Congress chose to authorize.

At this time, then, four aspirants for the presidency loomed up—William H. Crawford, who had been Secretary of the Treasury under Monroe; John Quincy Adams, Monroe's Secretary of State; Andrew Jackson, the hero of the late war; and Henry Clay, the late Speaker of the House of Representatives. All four claimed to be of the "good old Republican school," successors, in principle as in time, of Jefferson, Madison, and Monroe, though the truth was that only Crawford had any real pretensions to true orthodoxy. As the candidate in the line of the succession, the opponent of the American system and the favorite of Mr. Jefferson, who knew his worth, Crawford became the object of combined assault from the other three, who relied upon the

scattered Federal vote to give success to their plans.

Foreseeing that if the old plan of selecting the presidential candidate by a party caucus of the members of Congress would give the nomination to Crawford, the first step taken by the other three aspirants was to bring about a revolt against the plan. "Mr. Crawford being a man of distinguished talents, excellent morals, and greatly esteemed, more than ordinary means were employed to put him down. The presses were employed for that purpose. The Washington *Republican* was employed in this city for that express purpose."¹ In North Carolina and South Carolina, union tickets with the names of Adams and Jackson were run.²

Among other sins ascribed by his enemies to Mr. Crawford, was the passage of the law of May 15, 1820, fixing the tenure of office in the Treasury Department at four years. But that there was no sinister object with Mr. Crawford in having this law enacted, only the genuine one, however mistaken, of ensuring greater regularity in the returns of the disbursing officers who had grown careless

¹ Mr. Smith's Speech, Debates, 1830, p. 208.

² *Ibid.*

and indifferent, all the facts go to show. Mr. Webster, who was in Congress at the time, has declared that "the several leading distinguished gentlemen who advocated it did not dream of the extension of the political power which they were giving the executive."¹ The measure was passed in both Houses of Congress without division and without opposition, and there is no evidence that Mr. Crawford, while in office, availed himself of its provisions to remove a single incumbent, though he had ample opportunity to do so.²

The fact is, the principles of Mr. Crawford were all against the idea that he could lend himself to partisan objects. And how much superior he was in magnanimity to all three of his rivals after events developed. At a trying period in the life of each one of them, the voice of Crawford was lifted in kindness and conciliation. Jackson came to know that when he was arraigned before the Cabinet of Monroe for invading Florida without authority, Crawford had said much in mitigation of his

¹ Calhoun's Works, iv., p. 298.

² What Adams says, in his *Memoirs*, to Crawford's disadvantage, is a mere tissue of uncharitable suspicions.

offence ; and Clay and Adams received the soothing assurance of his disbelief in the charge of "bargain and corruption," formulated against them because of their co-operation in the House of Representatives in 1824 on the failure of the people to decide between the four presidential aspirants named.

Through that co-operation J. Q. Adams had been made President despite a decided majority of the electoral college and of the House itself against him ; and the irritation of the masses had found vent in the terrible denunciation by John Randolph of "the coalition of Blifil and Black George,—the combination, unheard of until then, of the Puritan with the blackleg." When most men were willing to believe the worst of Adams and Clay, the language of Crawford, the late rival of those in power, was : "I hope you know me too well to suppose that I have countenanced the charge of corruption which has been reiterated against you." ¹

¹ "Clay's Correspondence," p. 192. John Tyler, who nominated Crawford in the caucus of the Virginia Legislature, wrote to Clay a similar letter ; but Clay's subsequent "mousing" with Tyler's Cabinet, and Adams' unjust and virulent abuse, were not calculated to confirm him in so good an opinion of the two members of the "coalition."

Adams became President on March 4, 1825, served four years, and was succeeded by Andrew Jackson on March 4, 1829, who served till March 4, 1837, when Martin Van Buren was inaugurated, and served till March 4, 1841. Though the two last called themselves by different party names from the first one, there was in reality no substantial difference between them. Thus, if Adams favored the extension of roads and canals, Jackson and Van Buren approved even larger expenditures in favor of harbors and rivers.¹ And if Adams instigated and approved the tariffs of 1828 and 1832, Jackson had voted for that of 1824, and his friends, Van Buren, Benton, Dickerson, Wright, Dallas, Marcy, Livingston, etc., representing a majority of the manufacturing States, not only voted for the tariffs of 1828 and 1832, but counselled war with South Carolina in 1833, in preference to the alternative of reducing the tariff rates.² In the same

¹ During Adams' four years the amount spent for internal improvements was \$2,083,331; but in 1829 and 1830, Jackson's first two years, the amount was \$2,501,590.—Tylers, i., 489, 493.

² Calhoun said to Wright in the Senate: "The entire South may well apply to the Senator as the author of the tariff of 1828, the reply which a distinguished Senator [L. W. Tazewell] gave after its passage to one [Van Buren] who now occupies a higher position [as Presi-

manner, if Adams claimed the right to appoint ministers abroad, without the consent of the Senate, as in the case of the Panama mission, the difference was after all only one of degree between himself and Jackson, who not only claimed the right, but exercised it as in the case of the famous Turkish mission.

dent] than he then did, and who undertook to explain his vote on that occasion : " Sir, you deceived me once—that was your fault ; but if you deceive me again, the fault will be mine."—" Debates, 1836-37," 910.

In 1837 Tyler wrote : " When I voted for the compromise [in 1833], I did so in best faith. I was firmly convinced that the reduction was rapid enough ; for although the manufacturing interest had greatly violated the rights of the South, and had brought us near to civil war, yet I felt as an American, and was, therefore, disposed to let down the system by slow degrees. Seven years were asked for, and with others, I readily granted it. I well remember the opposition then made. It came precisely from the quarter that now prefers a more rapid stride. Look, I pray you, to Wright's speech in the Senate. He had ten substantial objections to the act. See the floundering of the party on the subject of coarse woollens. See, in short, the numerous efforts to defeat the measure. The truth is, the party [the Jackson party] went for force and the tariff. I boarded with Governor Dickerson, who held us at arm's length. He would make no concession—not the slightest.

" And now this is the party which moves for reduction, instant, rapid reduction. They represent Pennsylvania, New York, Maine, Connecticut, New Hampshire, Rhode Island—a majority of the manufacturing States—and I would put their sincerity to the test. The South should make loud calls upon them to press forward. If they are sincere, we advance our interests by an instantaneous repeal. Cambreleng's bill should be considered the first measure of the session, but mark it is a mere feint."—Tyler to Wise, MS., January 23, 1837.

But to prove beyond a shadow of a question the political identity of the three Presidents, Adams, Jackson, and Van Buren, it is only necessary to note two things : The first is that the Crawford party of strict-construction which opposed Adams during his administration were also driven from Jackson, and under the name of "Whig," which from 1834 to 1841 meant State-rights, opposed the rule of Jackson and Van Buren. And the second is that all the leading friends of Jackson, who, as we have seen, voted for high tariff and internal improvements, joined the new Republican party of 1856, or were in active sympathy with them. Van Buren led the defection of Free-Soilers in 1849 ; Blair, Jackson's editor, was a supporter of Frémont in 1856, and his son, Montgomery Blair, was a member of Lincoln's Cabinet ; B. F. Butler, Jackson's Attorney-General, and Frémont, the son-in-law of Benton, were leading Republicans ; and Benton himself died forlorn and discarded by his old friends. Finally, J. Q. Adams himself declared, in 1842, that all the leading measures of Jackson's first administration received his undivided approval.¹

¹ "In the political divisions of parties, my opinions and principles were all in favor of the executive administration of the national

Like the fruits of the "spoils measures" already described as favored by the Federalists from 1789 to 1801, the fruits of the American system under Adams, Jackson, and Van Buren were disastrous in the extreme. The same wholesale demoralization and corruption ensued, attended at last by universal bankruptcy, causing a grand revulsion of the people. Calhoun said¹ that the surplus revenue caused by the tariff of 1828,² enacted during Adams' administration, which poured millions into the Treasury beyond the most extravagant wants of the administration, "was the source of deep corruption in every direction." And to this may be added the declaration of George R. Poindexter³ that, from the very hour of the passage of the act mentioned, the manufacturers

government, then formidably assailed by South Carolina nullification under the shield and with the artillery of State sovereignty. In the preceding summer of 1832 I had, in perfect concert with this administration, as Chairman of the Committee of Manufactures, carried through the tariff act of that year."—Niles, 63, p. 172.

¹ "Debates, 1833-34," p. 1277.

² "This act," says Giles, "passed in obedience to a convention of manufacturers at Harrisburg who had excluded from the invitations all the States intended to be made tributary, was dictated by a spirit of electioneering and avarice, and had demoralized the whole country."—"Debates in Va. Convention," p. 251.

³ Poindexter's remarks in his "Report on New York Custom-House" (1842).

and their agents began to bribe and corrupt the appraisers and other officers of the New York custom-house to destroy the foreign commerce in woollens. By this and similar contrivances millions of dollars were plundered from the other interests of the Union and especially from the South, to enrich the manufacturers of the North and the great contractors of the West.¹

As a consequence of all this, the infection entered the offices. The system of removals is the secondary stage of the spoils system; and though Adams had sown all the seed which bore dreadful fruits in after years, his administration is free from the charge of proscriptio. As Secretary of State for eight years under James Monroe, whose "purposes of improvement" Adams had promised in his inaugural address "to pursue to their consummation" as "the whole sphere of his obligations," he had no excuse to remove any of Monroe's appointees. On the contrary, coming in without election by the people, his ob-

¹ Senator Dickerson, who opposed the compromise tariff in 1833, admitted that \$12,000,000 were annually abstracted from the South under the tariff law of 1828.—Tylers, i., p. 441.

vious policy was, in view of his candidacy for re-election, to conciliate all the factions of his party.¹ Therefore, when, like Madison and Monroe, he offered places in his Cabinet to some who had served under his predecessor, he followed that course which was calculated most to relieve him of formidable enemies at the next election. Certainly by Clay's accepting office under him, Adams made a powerful supporter, and the known reason that induced Crawford to decline was, as he said,² "the fear of embarrassing his friends in opposing Adams' administration, should it go wrong."

And yet portentous signs were not wanting, even thus early, of the evils breeding in the whole atmosphere of Adams' administration. The press was again influenced by the appointment of its editors,³ and Livingston

¹ Wise put it pretty strongly perhaps when he said of Adams: "He was a weak minority President. His notorious policy was to let his friends take care of themselves and bait well his political enemies."—*Cong. Globe*, 1842, p. 779.

² *Southern Literary Messenger*, iii., 279.

³ John Hampden Pleasants, the editor of the Richmond *Whig*, the leading National Republican paper of the South, was sent by Adams as bearer of despatches to Rio Janeiro.—"Debates, 1828," p. 1286. Binns, a scandalous writer, was given printing worth \$1,500 or \$2,000. Clay defended editorial appointments at "Fowler's Garden," May 29, 1830.

spoke¹ of the "notorious defaulters" who, in the persons of Watkins, Robertson, Arnold, Rogerson, and others,² defrauded the government during Adams' term.

In fact, nearly all the credit to which Adams was unquestionably entitled, by permitting the policy of his predecessors in respect to removals to continue, was counter-balanced by the share he had taken in putting down the old congressional nomination, to make way for the national political convention first instituted in 1831 by the anti-Masons, whom Adams joined after his defeat for re-election in 1828. For it is recognized that it was by this contrivance that wire-pulling and political bossism became a dominating feature in American politics.

"The very evils of the dreadful tariff itself," (that of 1828,) complained Giles,³ "were not

¹ Livingston said, March 15, 1830: "I speak only of facts that are notorious. . . . One collector . . . was in the course of the summer found to have abstracted the sum of eighty thousand dollars; another, nearly under the same circumstances, was found in arrears to the amount of nearly thirty thousand dollars, and both have absconded; a minor defect was found in the accounts of the Patent Office, also undiscovered from the want of official superintendence."—"Debates," vi., p. 260.

² *Enquirer*, Oct. 16, 1832. Tylers, i., p. 404.

³ "Debates in Va. Convention, 1829-30," p. 917.

brought upon us from any consideration of the real merits of the tariff question, but the calculation was who should get the most votes for their favorite President by voting for the unprincipled tariff. The parties threatened one another with losing their respective candidates for President. That one consideration of carrying their own candidates had more effect upon their proceedings than all others put together."

When in 1829 Jackson assumed control, the disease engendered by the spoils measures showed itself in a constantly increasing virulence. Removals took place by hundreds; editors were appointed to office not in twos and threes, but in batches; gigantic defalcations, like those of Swartwout and Price, startled the whole country; and the key-note of the whole crying evil was given by Marcy, of New York: "To the victors belong the spoils!" But as evidence that, after all, civil-service corruption is only part of a general system, in great measure independent of the will of the individual armed with the chief authority, it is said that General Jackson, six weeks before his death, declared that during all

his presidency he had turned but one subordinate out of office by an act of direct personal authority.¹ No one can doubt that J. Q. Adams, Jackson, and Van Buren were men better and abler than the ordinary run of men ; but it was the doctrines that they sustained, perhaps often in ignorance of their full consequences, and the measures that they instigated, which encouraged *others*, not subject to the same responsibilities nor possessed of the same character or virtues, to do objectionable things.²

¹ Parton's " Jackson," iii., 669.

² The following fact is in further illustration : In 1842 Mr. Adams complained that Virginia had five or six times as many officers in the navy as she was entitled to. Wise, the chairman of the Naval Committee, replied that this was a fact, but it was not due to Tyler's administration, which was strictly impartial, but to his own, which had occasioned the inequality by giving to Virginia, to Maryland, and the District of Columbia out of 327 appointed, 111 midshipmen who had risen to higher rank by promotion. Thereupon Mr. Adams declared that it was not he that did it, but Mr. Southard, his Secretary of the Navy, who dispensed all such favors.—*Cong. Globe*, 1842, pp. 777-80.

V.

NATIONAL REPUBLICANS, DEMOCRATS, AND WHIGS, 1828-1844.

THE great Republican party which had been split into four factions in 1824, slowly condensed in 1828 into two opposing bodies, called National Republicans and Democrats. The first party consisted of the factions headed by J. Q. Adams and Clay, respectively; the second, of the factions led by Andrew Jackson and William H. Crawford. In 1824 the Jackson men and the Crawford men stood farthest apart. It was Jackson, Adams, Clay, and Crawford. Yet by the circumstance of their both being "outs," they were compelled into a precarious agreement to beat the "ins." The strength of Jackson lay in the West; the strength of Crawford in the South. These alpha and omega elements were thus finally brought to constitute the

Democratic party, and as curiously illustrative of the Federal spirit of its Jackson wing, old Timothy Pickering, John Adams' Secretary of State, and the sons of Alexander Hamilton were Democrats. It was by means of this coalition of latitudinarians and strict-constructionists that Jackson routed Adams at the election in the fall of 1828.

Immediately, however, upon Jackson's accession to office, the two elements of the party began to quarrel.¹ First came a reorganization of the Cabinet in 1831, which resulted in the turning out of all the Southern low-tariff Democrats, and in the installation of Northern high-tariff men. Next came the tariff of 1832, for which all the Northern men, save two² of either party voted, and which increased the rates of duties already raised to prohibition. The protest of nullification was made by the

¹ John Tyler wrote March 14, 1830: "There is nothing sound in the state of parties here. We still hold together, it is true, in the expression of partiality for the President, but that is all. He cannot be considered as standing at the head of a *party*, for in truth he has none. A Kentuckian is ready to denounce him if he yields aught to our constitutional scruples, and so are the Pennsylvanians, etc., etc., while the South sustains him from fear of greater evils under the auspices of another. . . . My own decided opinion is that Clay was never so formidable as at this moment."—MS.

² Tylers, i., p. 438. Senate Journal, 1831-3, p. 431.

South Carolina Democrats, and was answered by a proclamation from the President, in which the fundamental Republican doctrine, that the Union was a compact between sovereign States, was repudiated, and the heresy of a consolidated nationality announced. This hurled off another section of the Crawford men, led by Tazewell and Tyler of Virginia, who disapproved of nullification, but could not approve the principles of the proclamation.¹ Next in 1834 ensued the removal of the

¹ The nullification controversy was quieted by Clay's introducing the compromise tariff bill suggested by John Tyler. "I remember," says the latter, "that in a day or two after the proclamation was issued I waited upon you, believing as I firmly did that you were the only man in the Union who at that perilous moment had the influence to save the Union. The conversation turned on the proclamation, and you unhesitatingly pronounced it ultra-Federal black cockade (I use your language). You afterwards expressed to me dissatisfaction with the Force bill, and when afterwards you declared in the Senate that had you been present you would have voted for it, am I mistaken in the fact that in a conversation afterwards you ascribed that declaration to the circumstance that the Northern members required you to make it as the condition of their support of the compromise bill? I have frequently so stated it. I bear in distinct recollection your antipathy to the measure, as is fully evidenced by the fact that your compromise bill rendered it a dead letter. In short, I have never heard you do other than declare that the government was the creature of the States, a compact among equals, and when we have differed it has been more in construing the Constitution than on fundamental principles. Thus have I always regarded you as a Republican of the old school, who had indulged, when the public good

deposits from the United States Bank, and on this issue still another section,¹ headed by Henry A. Wise and John Bell, left the Democratic party. Then followed the successful effort of Benton to expunge the censure passed by the Senate on Jackson for removing the deposits from the United States Bank. On this issue, in 1835, Judge Hugh Lawson White left the party at the head of the Tennessee Democrats. And finally, in 1837, during Van Buren's annex, large fractions of the Democratic party, called "Conservatives," headed by Hugh S. Legaré in South Carolina, N. P. Tallmadge in New York, and William C. Rives in Virginia, fell off on the question of the sub-treasury. These several factions, comprising a majority of the Crawford party, formed, in union with National Republicans led by Adams and Clay, the celebrated Whig party.

seemed to require it, somewhat too much in a broad interpretation to suit our Southern notions. . . . You are aware of my position in this part of Virginia, where nine in ten are what are called State-rights men."—Tyler MS. to H. Clay, September 18, 1839. Also Tylers, i., p. 458.

¹ Called the "Awkward Squad," consisting of some seventeen members of the House of Representatives.—Hambleton's "Virginia Politics, and Life of H. A. Wise."

VI.

THE WHIG PARTY AND TYLER, 1841-1844.

THE avowed objection of the Crawford men to the Jackson party was that they (the Jackson men) had fallen under the control of a ring called the Albany Regency, in favor of tariff and the other so-called Federal measures, and in fact were not Democratic enough; and therefore the union with the National Republicans was only possible under a new name and a surrender of old principles. The Jackson party had appropriated the name of Democrats; the retreating members from the ranks could not endure the name of National Republican. The National Republicans, from whose ranks in a similar fashion many thousands had gone over to the Democrats, were glad enough to drop a name which had lost its odor, and the opposition in 1834 united, in a common cause, upon the name Whig. The

old principles were also surrendered. Bank, tariff, and internal improvements were given up by Adams, Clay, and Webster,¹ and everywhere the Whig party claimed to be the true representative of the old Republican party of 1801, taking ground in its widest sense of opposition to patronage, to spoils and corruption, to executive misrule, and in favor of economy and primitive simplicity. On this platform the opposition won a brilliant victory, in 1840, over the Democrats; and that the Crawford Whigs contributed largely to the result, the following facts demonstrate.

In Georgia, Crawford's home, previous to the breach in 1833, there was no party whatever save the Democratic party, and yet so large was the secession of Democrats on the

¹ Adams announced himself against a bank of discount.—“Debates, 1837.” At the last session under Van Buren he said his mind was not made up on any question.—Tylers, ii., 7. On the question of internal improvement, he declared that it had been “ingloriously” deserted by Clay, Calhoun, and Webster.—Schouler's “Hist. U. S.,” iv., 183.

Clay thought the Bank question “obsolete” (Tylers, i., 598), of “no practical value” (*ibid.*), and that “there was nothing in the name of a Bank of the United States which had any magical charm, or to which any one need be wedded.”—*Ibid.*, p. 601. On the tariff he declared for the revenue principle.—*Ibid.*, 601.

E. Littell wrote to Webster September 14, 1841, that “as far as he could see, he (Webster) was not in favor of a corporation in 1840.”—Littell MS. to Daniel Webster. See also Tylers, ii., 601.

issues mentioned that in 1836, and again in 1840, the State went largely Whig.¹ In Tennessee, Jackson's home, which formerly heaped up majorities of thousands in his favor, so extensive was the following of Judge White and John Bell, the seceding Democrats, that both in 1836 and 1840 the State declared against the Democrats, directed by their most popular chieftain, General Jackson. And in like manner, from being an overwhelming Democratic State, North Carolina came permanently into the Whig ranks ; while in Virginia, where the usual Democratic majority had been twenty-five thousand over the National Republicans, the contest with the new party (Whigs) was "nip and tuck."² Even in the North, States long Democratic wheeled into the Whig line under the new coalition.³

¹ "All in Georgia were Jackson men while General Jackson was in office," says Gov. George R. Gilmer in his "Georgians," 561. But in 1836 the State went Whig by over 3,000, and in 1840 by 8,360.— See *Niles' Register* and Georgia Papers.

² The Whigs elected Tazewell Governor in 1834. And yet in 1832 the vote cast for Clay in Virginia was only 15,000 as against 40,000 for Jackson. Making allowance for the National Republicans who turned Jackson men, it follows that probably two thirds of the Whig party were original Democrats in Virginia.

³ Such as Maine, New York, Rhode Island, etc. In 1836, the Whigs had two presidential candidates, Harrison in the North and White in the South. Granger and Tyler were the Whig nominees

Everywhere prominent Democrats were leading the Whig cause. In Delaware, Jackson's Secretary of State, Louis McLane, voted in 1840 for Harrison and Tyler, the Whig nominees. In Maryland, the voters were marshalled by McMahan, McCulloch, and General Duff Green. In Virginia were seen B. W. Leigh, Gilmer, Upshur, Tyler, Wise, Botts, Rives, Thomas R. Dew, Judge N. B. Tucker—all supporters of Jackson in 1828; in North Carolina, Judge Owen, Mangum, and George E. Badger; in Georgia, Jackson's Attorney-General, John M. Berrien; in South Carolina, William C. Preston, Waddy Thompson, and for the vice-presidency. In Virginia a double-shotted ticket of Harrison and White was run; and of the effect of this step Tyler wrote: "One word about the past. The double-shotted ticket killed us, added to the fact that our leading journals played altogether for the Northern States. They substantially dropped Judge White and took up Harrison. This caused the thin turn-out in tide-water Virginia, and lost us the vote of North Carolina. I remonstrated, but the course could not be altered. . . . We must look to the future, and there our vision is limited by darkness. I fear that no union can be formed between us and the latitudinarians of the North, but *nous verrons*."—Tyler MS., Jan. 13, 1837.

In a later letter he wrote: "My election was certain if Northern and Western men had come to my aid. I saw that they would not, nor will they now assist any Southern man to that station (the Vice-Presidency). Be assured that I look not to it nor to any honor which does not lie in the gift of the people of Virginia."—Tyler to Wise, Dec. 26, 1838, MS.

Hugh S. Legaré—the two former original nullifiers; in Tennessee, John Bell, Bailie Peyton, and others; in Mississippi, George R. Poindexter, the leader of nullification in that State in 1833; in New York, N. P. Tallmadge, John C. Spencer, and others. Indeed, Clay himself stated that without the aid of the Crawford-Jackson men the Whig party was doomed to remain in a “perpetual and hopeless minority.”¹

The crushing victory of the coalition is still remembered by the older generation among us. Harrison and Tyler were elected, and immediately after the election the old quarrel between the Adams and Clay men, on the one hand, and the old Crawford men on the other, was renewed, just as had happened in the case of the Democrats in 1831. Harrison, though

¹ “Clay’s Corr.,” p. 435. Tylers, i., p. 575, note 1. Only in Massachusetts and Vermont were the National Republicans and Whigs substantially the same. But these States were only a small fraction of the Union, and even in them a discreet silence was observed on the old issues. In all the other States the words of Gilmer, written in 1839, were true: “It is notorious that many, very many of those who sustained the election and the administration of Mr. Adams are now, and have been since the period of the proclamation, identified with the Democratic party, while tens of thousands of the present Whig party sustained Gen. Jackson’s election first against Mr. Adams and then against Mr. Clay.”—MS.

a Southern man in birth and opinions, had owed his nomination to the Northern element of the party, and, in consequence of this fact, his Cabinet became a National Republican affair, to the exclusion of the Crawford element. In spite of all pledges to the contrary, the idea of patronage was once more revived; the old Federal measures of Bank,¹ tariff, etc., were once more brought forward, and the offices were once more made the subject of "spoils and corruption."

Harrison was President one month, and in that month a fierce, cruel, and remorseless proscription ensued.² And yet it is but just to Harrison to say that so far from joining in the slaughter of Democrats so universally decreed, he bitterly condemned it, laying the whole blame at the door of the Federal Whigs,

¹ Buchanan said that he could truly say that "during the whole election campaign he had not seen a single resolution in favor of a national bank which had been passed by any Whig meeting in any part of the country."—*Cong. Globe*, 1841, App., 345.

² In confining Harrison's responsibility for appointments to the list sent to the executive session, Lucy M. Salmon makes a very serious blunder. Wise roundly denounced "the reign of the one month" for its unmerciful proscription.—*Cong. Globe*, 1842-43, 319. The extra-session bore the real weight of Harrison's proscription which Preston in the canvass declared should be "proscribed." See note, p. 87. "Every office within reach of the executive had been filled by corrupt and venomous leeches."—*Westfield (Mass.) Palla.*

“who,” he said, “were bent upon seizing the reins of government.”¹ The stupid practice of leaving to the heads of departments the appointment of officers was continued by Harrison, and thus removals ensued in reference to which Harrison was not even consulted.

When, after four weeks' time, John Tyler, the Vice-President, succeeded to the presidential office by the death of Harrison,² he

¹ Harrison complained to Proffit “of the Federal portion of the Whig party,” that if they continued their proscription much longer, “they would drive him mad.”—Tylers, ii., 11. A medical pamphlet was published in Philadelphia, showing that Harrison was “hunted to death by the importunity of the Whig office-seekers.”—*Cong. Globe*, 1841, Append., 344. The two rivals, Clay and Webster, led the charge, and in the first hours after the election a bitter fight raged between them over the New York custom-house.

So wild did Clay become that the President had to say to him, “Mr. Clay, you forget that I am the President.” It ended by Harrison declining to have anything to do with him except by letter. He pursued his designs, however, through the Cabinet, the majority of whom were his friends. Webster, if more polite and gentlemanly, was almost as hungry. Before he even assumed the duties of Secretary of State, he notified Martin, the chief clerk in the department, to vacate, and appointed his own son to the vacancy thus anticipated.

² Duff Green says that “previous to the Harrisburg convention, he went to North Bend, and became so convinced that Harrison could not live out his term if nominated, that he did all he could, in conjunction with McMahan and McCulloch, of Baltimore, to secure the nomination for the second office, along with him, of John Tyler.”—“Life of Duff Green,” MS., by his son, Col. Ben. E. Green. On the very day of the nomination J. Q. Adams predicted Tyler's acces-

found three difficulties confronting him—difficulties, it may be safely said, unknown to any of his predecessors, but demanding prompt and speedy solution. In the first place, it is admitted that incompetent, dishonest officers filled a very large proportion of the offices, whom the good of the country required should be removed, but whose removal would raise the reproach of proscription.¹ In the second place, all the offices had been promised away by Harrison and his Cabinet, on the strength of which prominent Whigs had made “pecuniary and other engagements.”² Succeeding as he did to the legacy of Harrison, he might

sion.—*Harper's Magazine*, 1874, “Recollections of an Old Stager.” Before and after this time these calculations were frequent.—Tylers, ii., p. 9. Whig gossip subsequently contradicted this in New England, but Carl Schurz pronounces the similar Whig gossip that the Bank question was an issue in the canvass “an astounding assertion.”—Schurz “Clay,” ii., 207.

¹ Van Buren was a most amiable gentleman, but his administration was characterized by numberless defalcations. Nearly all the land receivers were defaulters. Every department was in debt.

² Letters of Waddy Thompson and C. L. Todd, who received the Mexican and Russian missions, substantiate this fact. The former states that “having been formally and officially informed by Mr. Webster that I was to receive the appointment in the fall, I had upon the faith of it made my pecuniary and other engagements, and that in addition to heavy losses,” etc. See also Tylers, ii., 32, for a similar status ascribed to the English mission.

justly apprehend unlimited resentment in case he made a different disposition of the appointments. And in the third place, he knew that if he interfered with the proscription of the Cabinet, he would certainly inflame their resentment just at the critical moment when the quarrel was imminent between the opposing factions in the Whig party.

That President Tyler, regardless of consequences, honestly endeavored to reform the government after the example of the Jeffersonian school, of which he professed himself a member, all the facts attest. Instead of encouraging the spirit of proscription which had suddenly seized upon the Whig leaders, he tried by every means to put a stop to it.¹

¹ Mr. Tyler had, prior to Harrison's death, stood up against the "spoils system." One of his first acts after Harrison's inauguration had been to address a note to Harrison in favor of the retention of two faithful Democratic office-holders, Messrs. George Loyall and Conway Whittle, living in Norfolk. Harrison reappointed them in deference to Mr. Tyler's request (Tylers, ii., p. 163, note 1), and thereupon the Whig papers, to which the real agency was not known, began to assume for their party the credit of liberality, to which they had no claim. In the *Whig* of March 30, 1841, we read: "How is it that, while General Harrison is so berated for removing obnoxious and prostituted office-holders, he gets no credit for retaining others hardly less obnoxious? . . . Why is the reappointment of George Loyall overlooked by Ritchie?—George Loyall, the quintessence of party rancor and inexorable political bigotry."

With regard to some of the offices that yet remained filled with Democrats, the committals of Harrison and his Cabinet were so pronounced that it was impossible to alter them. These he approved, and got the blame for them. But in the vast majority of cases, where the removal desired appeared without cause and without reason, he was emphatic in his opposition to the policy proposed by the Cabinet and other Whig leaders. "It was to no purpose," said the Maryland Whig delegation, "that those who placed him in power remonstrated, held meetings, resolved, petitioned, and insisted. Mr. Tyler shook his head, spoke of his conscience, and determined that no more removals should be made."¹ De-

¹ *Niles' Reg.*, 63 p. 79.

Granger, who resigned from Tyler's Cabinet in September, 1841, said that "there were additional reasons for the withdrawal of members from the Whig Cabinet, which," Mr. Grangersaid, "he would frankly state: Many removals and appointments were made during the congressional recess and before the death of General Harrison, which were afterwards sent to the Senate for confirmation; but since that day very few had been disturbed. The President (Tyler) had seen fit to retain in power the entire force of the Indian department. . . . Custom-house officers were retained. All the most valuable offices of the Post-office department were under the control of the President, who had permitted but few removals," etc., etc. By these acts of the President, Mr. Granger said, "he had been forced

termining that his administration should not have the appearance even of personal favor, he declined to appoint Dr. Henry Curtis, his brother-in-law, as Treasurer of the United States, though Dr. Curtis had received the promise of Harrison.¹ He issued instructions to the Postmaster-General that no editor should hold office,² and during his whole term cautiously abstained from appointing any man to office who was actively connected with a newspaper, holding the old doctrine that the press, the great instrument of enlightenment to the people, should not be subjected, through

to consider his duty to the principles he had advocated, and to himself personally." *Niles*, 61, p. 231. Granger afterwards said in Congress that he had removed 1,700 postmasters, and if Mr. Tyler had permitted him he would have added 3,000 to the number, making 4,700 in all.—*Cong. Globe*, 1842, p. 701. Still later, Granger boasted that "the whole credit of those removals belonged to him." "I claim all the glory," said he, "and when, by the accession of Mr. Tyler, I found the good work of reform must be arrested . . . I promptly and indignantly resigned. . . . and my only regret is that I did not have time to chop off the official heads of about five thousand of them."—Washington *Madisonian*, May 9, 1844. See *Cong. Globe*, 1841, p. 371, Gilmer's speech.

¹Richmond *Whig*, April 22, 1841. William Selden retained the office of Treasurer throughout Tyler's administration, nor did any of Tyler's relations receive office directly from him, although there were two or three who received unimportant subordinate offices from the Cabinet ministers without his knowledge or suggestion.

²*Niles*, 61, p. 67.

its conductors, to a system of rewards and punishments.¹

These measures and others similar to them, adverse to the principle of patronage, contributed greatly to the rage of the Adams and Clay factions in the Whig ranks. Led by these two gentlemen, the Whig Congress insisted upon pressing upon Mr. Tyler the issue of a Bank exerting corporate powers in the States.² Mr. Tyler, though feebly supported

¹ Tyler, as a member of the Jackson party, had opposed the action of his chief in appointing editors to office.—Tylers, i., p. 409. And it was on account of his being an editor during his administration that he declined to appoint M. M. Noah to the Liverpool consulate. Oliver Harris, cited by Lucy M. Salmon as an instance of editorial appointment, had had for two years no connection with any paper. Dr. Silas Reed, of Boston, is a witness to this fact, and adds: "I believe the President wholly innocent of the charge of appointing editors to office."—MS.

² For a detailed history of the Bank vetoes see Appendix, II.

Mr. Tyler took his stand in the "absence of all his friends."—Tylers, ii., 12, 53. Gilmer and Wise were canvassing for Congress, and Wise says that he did not hear of Harrison's death until two weeks after it occurred.—*Cong. Globe*, 1842-43, p. 314. Having been a Bank man himself, Wise thereupon wrote to Gen. Leslie Coombs, of Kentucky, that "he *hoped* that Tyler would follow the example of Madison, and, upon the principle of *stare decisis*, approve a Bank bill. "But," writes Wise, "in a short time after I had seen the inaugural, I visited Mr. Tyler, and he at once dispelled my doubts and hopes, avowing in our first conversation after he became President his continued opposition to a United States Bank on constitutional grounds, and saying he was too old to change them."—Wise MS. to T. F. Marshall,

by the Crawford Whigs in Congress, who were cowed by the unexpected turn things had taken, met the united powers with the veto. And thus foiled in their designs, and mortified at being cut out of the spoils which they frankly admitted¹ they contemplated, the whole Whig Cabinet, except Webster, resigned.

The whole character and policy of Mr. Tyler were against making removals, but the unprecedented position in which he found himself, after the resignation of the Cabinet, as the common object of attack of the Federal elements of both parties, together with the admitted incompetency and positive dishonesty of most of the office-holders, rendered the

Dec. 29, 1842. To the taunt that Tyler was led by him and others into vetoing the Bank bills, Wise replied: "The President had shown how hard it was to control him. They (Clay and the Whigs) had endeavored to control him, and had been disappointed."—*Cong. Globe*, 1842, 916.

¹We have noticed the language of Granger, the Postmaster-General. (See p. 68, note 1.) Bell, the Secretary of War, declared that he did not resign because of the vetoes simply, but because "there were other and pre-existing causes." Were these "causes" the retention in office of the whole of the Indian Department? The *Washington Globe* predicted the resignation of Ewing as soon as the President restored certain Democrats to the land office. See also *Tylers*, ii., 310; *Cong. Globe*, 1841, p. 388.

policy sometimes unavoidable. How different, for instance, was Mr. Tyler's position from that of J. Q. Adams when President. The latter was aided by the stream of good example that flowed down from the administrations of his noble predecessors; the former had to breast the tide of corruption that had swollen into a flood during a period nearly as long. Neither was he in the position of Jefferson, in 1801, who was able shortly to effect the suppression of three fourths of all the office-holders without a reappointment.

Mr. Upshur says that despite the breach with the Whig leaders, Mr. Tyler continued for some time to draw the majority of his appointments from the Whig ranks.¹ And it

¹ Tyler is censured by Lucy M. Salmon for removing Whigs "in order to please Democrats," and yet it is admitted that he had appointed Whigs to office for many months after they had begun the most virulent attack upon him. Not until after one year did the President act in resistance. Appointed by Tyler in deference to the previous promise of Harrison, Jonathan Roberts had "swept the very offscourings of crime into the collector's office at Philadelphia." (Robert J. Walker, MS.) "Loafers, pipe-layers, and pardoned convicts were among his appointees."—*Cong. Globe*, 1842-43, p. 309. The President removed him.

Van Rensselaer was removed from the post-office at Albany, "at the request of eminent men of both parties."—Washington *Madisonian*, March 29, 1843, and April 14. "The mail was often delayed for days." So with all the rest.

was only when he found that the appointees requited his kindness with the blackest ingratitude and used their offices for the purposes of a proscription of their subordinates that he called a halt.

Mr. Tyler, unlike Ewing and other Whigs of the National Republican stamp, had never taken unqualified ground against removals. As early as 1834, while condemning Jackson's use of the removing power, he had declared that, "if properly exerted to get rid of incompetent and unfaithful agents, it was beneficial in its results." This position was also assumed by Harrison in a circular issued from the State Department, March 20, 1841, and it was fully reaffirmed by Tyler himself in all his early messages. When, therefore, the new Whig appointees, who, having made their applications through the Cabinet officers, were nearly all friends of Clay, began, after the vetoes, the most virulent assault on Mr. Tyler, to the entire neglect of their duties, the latter was compelled to remove some of them, in accordance with the doctrine laid down by both Harrison and himself, for official delinquency. And yet during his whole term of office the

foreign missions were practically monopolized by his political enemies,¹ and nineteen twentieths of the office-holders at home were active and avowed champions² of Mr. Van Buren and Mr. Clay, and they opposed the administration in ways of trickery and strains of billingsgate which these times of gentility and, if you choose, of little men can hardly credit.

The one thing which might have saved the President from exerting the power with which

¹ Everett was Minister at the Court of St. James throughout Tyler's administration, but he was in no sense a partisan of Tyler. There were resignations in certain missions towards the close of the administration, but no enforced vacancies, save in one or two for cause. Wise relates how Tyler tendered the vacancy on the Bench of the U. S. Supreme Court to Horace Binney and John Sergeant, two pronounced political opponents, the latter of whom had engineered the last Bank bill through Congress. Tyler knew that Sergeant had received his information about his opinions, second-hand, through Ewing, who had misstated them, and he knew that personally he was an able and honest man. He therefore did not think the country and the Supreme Court should be deprived of Sergeant's name and services for any personal misjudgment of himself or his course.—“Seven Decades.”

On Sept. 13, 1843, Tyler wrote to Wise: “I have made no removals in New Orleans, nor are more than one or two desired from any quarter. Besides, the Tyler Club, as it is called, consists of 400, most of whom cannot expect office. . . . I shall leave on Tuesday or Wednesday for Washington, and then all hail to a Congress likely to prove as turbulent and factious as any since the day of Adam; but I have a firm grasp on the reins.”

² Tylers, ii., 313.

he was armed, was urged by Tyler in his message of December, 1841, but was left untried by those who most impugned his motives. It was to call into action the authority of Congress to define in some way the limits of the executive discretion and necessarily the responsibility of the office-holders. This recommendation the President made, and it is the first of its kind in any message. In the House of Representatives the President's intimate friend, Thomas W. Gilmer, proposed a bill to impose upon the President the requirement of giving a reason for every removal. Why Congress paid no attention to either the President's message or Mr. Gilmer's bill is not difficult to understand, if we consider the violent partisanship that characterized the times, produced by the lust of spoils. The members of Congress were nearly all friends and partisans of Van Buren and Clay, who stood at the head of their respective parties, and neither side, while perfectly willing to hamper Tyler, cared to impose a permanent restriction which would militate against themselves and their favorites in the near future.

On the contrary, the Senate itself attempted

to usurp the power of appointment,¹ and Congress showed in every act their partisan character. They proposed to abolish the veto power,² and made repeated calls upon the

¹Lucy M. Salmon says that Tyler "insisted on nominations displeasing to the Senate." But Sevier, of Arkansas, said: "It was enough to ensure the rejection of the President's nominees, if they were known to be Tyler men." And if then, in the cases especially cited by her of Wise and Cushing, there were three successive nominations, it was not because the President wished to displease the Senate, which made a business of displeasing him, but it was because he wanted to put on record his emphatic endorsement of their great talents and worth. The Senate had at their previous session convicted itself of a liability to error, by confirming unanimously the renomination of Silas Reed, whom they had at first rejected. And thus the President was encouraged, and it was perhaps his duty to give the Senate the most ample opportunity to correct their error. "Indeed," says Wise, "I hope I may be allowed to declare that, repeatedly during the session succeeding Gen. Harrison's election, and afterwards about the beginning of the called session of May, I was urged more strongly by their great leader, Mr. Clay, to take some foreign mission, than I ever was by Mr. Tyler to go to France." Wise's Address, *Enquirer*, May 11, 1843. Indeed, it must not be forgotten that it was the numerous arbitrary rejections of the Senate that contributed to multiply Tyler's nominations, making Lucy M. Salmon's figures grossly unfair in her "History of the Appointing Power."

²Tylers, ii., 166. Tyler wrote: "Mr. Clay's proposition to abolish the veto power is an attempt to convert the government into a mere majority machine—a Legislature to be governed by a caucus. . . . This is the ultra-federalism of Mr. Clay, who claims to have drawn his principles forsooth from the resolutions of '98-'99 . . . I should not visit Virginia until after the elections. A hue and cry would be raised at my heels; and yet if I could be either in Williamsburg or Charles City for a single week, I would answer for the result of Mr. Wise's election."—Tyler to Wm. Waller, March 26, 1843. MS.

executive for confidential communications on subjects falling clearly within the executive privileges. They proposed to take away from the President the appointment of the Secretary of the Treasury and the Treasurer of the United States, simply because the President would not remove William Selden, who held the latter office. And to give point to these usurpations, they purposely withheld from the government, at the instigation of Adams and Clay, the supplies deemed necessary to carry it on.¹

To one and all of these usurpations, President Tyler opposed the same firm and consistent attitude, winning the victory on every issue and setting the precedent in many important matters.²

J. Q. Adams, Jackson, and Van Buren had enjoyed the control of the executive printing, but this, by act of March 18, 1842, was for the first time required to be let out to contract, though the two Houses of Congress retained the disposition of their own work, and re-

¹ Tylers, ii., 157, 166.

² His messages of March 23 and May 18, 1842, defining the rights of the executive in relation to calls of Congress, furnished precedent during Mr. Cleveland's administration on a kindred matter.

warded with their patronage papers inimical to the Administration.¹ No provision was made to pay the President's private secretary, and all the expenses of the White House were met by the President's meagre salary of \$25,000.²

¹ Tylers, ii., p. 311, note 2. "Blanks used by the Executive departments had been printed years ahead."

² Now the President is paid \$50,000, and he is allowed \$65,000 to meet the current expenses of the White House.

VII.

TYLER, POLK, AND TEXAS, 1844-1845.

BEFORE the rupture of the Whigs with President Tyler, the latter had left it to a hostile Cabinet to say whether, in connection with his veto message, in order to relieve his motives from the imputation of being governed by a desire for re-election, he should not positively declare that he would not be a candidate for re-election, and their unanimous decision was that it would be impolitic and unwise for him to adopt that step.¹ After their resignation he was attacked by the

¹ Schouler says that Tyler, in offering to retire at the end of his term, only showed that "his mind attached an importance to the sacrifice," and "at all events the impulse to stand aside shifted more quickly than the desire to gain credit for it." Now, the fact is, the charge of an anxiety for re-election had been the unvarying cry of his enemies from the moment of his accession. It was because *they* attached importance to it, that Tyler made the proposal, nor would any man, unless sincere in his purposes, have put it in the power of his enemies, as Tyler did, to deprive himself of a cherished end.

dominant elements in both parties, and his friends soon found it necessary to band together for self-preservation. These friends, though inconsiderable in Congress, where they were known as the "Corporal's Guard," were certainly numerous in the States. They were strong in Pennsylvania, where W. W. Irwin's family (connected closely with the distinguished senator, R. J. Walker,¹) the Wilkines, Porters, Sutherlands, Baches, and others were Tyler men; in East Virginia, where the Christians, Wises, Upshurs, Cropers, Armisteads, etc., carried the strongest Whig district in 1840, for Wise in 1842, and for Bailey in 1844; in New York, where the Englishes, Van Nesses, Grahams, Gardiners, etc., created a strong interest; and in New Jersey, where Stockton and scores of others made that State exceedingly friendly to Tyler.

Prevented by self-respect from supporting Van Buren, whom they had opposed in 1840, or Mr. Clay, who had poured upon the President personally and through his presses the

¹ W. W. Irwin, one of the "Corporal's Guard," R. J. Walker, and General Emory married three Miss Baches, who were Mrs. Robert Tyler's schoolmates.

vilest abuse,¹ they insisted on Mr. Tyler assuming the candidacy for re-election. And this Tyler finally decided to do, not with any hope of an election, but for the sole purpose of enabling himself to maintain his position successfully between the two great parties, as long as they were led by two such men as Clay and Van Buren.² Subsequently, linking

¹ On September 13, 1844, Tyler wrote: "I am still abused by all the papers in his (Clay's) advocacy, and he urged on that conspiracy in 1841 which was designed to ruin me personally and politically. His opposition to Texas, his attempt to revolutionize the government through the abolition of the veto power—in short, his total want of principle of every sort renders him the most obnoxious man in the Union. Mr. Polk is, to say the least, a gentleman in principle and conduct. If he comes into power his administration will be a continuance of my own, since he will be found the advocate of most of my measures. Mr. Clay leads the Federal cohorts; Mr. Polk the Democratic. My friends will be treated with regard and attention, and a rally on their part secures the election. They have rallied *en masse* in Pennsylvania, New Jersey, Maryland, Massachusetts, Connecticut, New York, etc., etc. I hope Mr. Waller will seriously ponder before he commits himself to Clay."—Tyler to his Daughter, Mrs. Waller.

A year before this he wrote to Jones, of the *Madisonian*, "to let the Calhoun and Van Buren factions fight it out." "There is nothing to hope from either faction." "Hold off as much as possible and let your fire be directed at Clay. He broke up the Whig party for his own selfish purposes."

² Tyler's acceptance of a nomination from his friends hardly justifies Schouler's ascription of "vanity," a weakness from which according to the universal testimony in Virginia to-day he was

his name with that of Texas annexation, he compelled the Democrats to relinquish Van Buren, who had taken a half-hearted stand on the subject, and to take Polk, who was General Jackson's next choice. A few months after this a full union was brought about between Tyler's friends and the Democratic party. They were solemnly assured by both Jackson and Polk that they would be treated as "friends and brethren" by the Democratic party. I have seen the whole correspondence on this subject.¹ First, Walker, chairman of the

singularly free in manner and act. Birney, the abolition candidate, had a much less following than Tyler, and yet he held out to the end without any chance of an election. Tyler had, on the contrary, offered to renounce the succession if the Whigs would only pass the *proper* Bank bill. Mordecai M. Noah knew all the facts, as he was once a friend; but when Tyler refused to give him the consulate at Liverpool because he was an editor, he garbled a conversation with Tyler, but admitted that Tyler said that "he entertained no hopes of an election himself."—*Niles* 64, p. 394 (1843). Tyler wrote to Jones, editor of the *Madisonian*, Jan. 16, 1844, to preserve in his paper "an exact balance between Van Buren, and Clay." "*Remember that mine is an isolated position.*"—Tyler MS. That he had a most reasonable conception of his strength his letters to Walker (post), to Gardiner, (Tylers, ii., p. 341,) and to Wise, ii., p. 317, show. He could prevent others from being elected if he could not elect himself. See also John Tyler, Jr.'s., article.—*Lippincott's Magazine*, 1888, p. 420.

¹ Through the courtesy of General Duncan S. Walker and the lamented Bancroft.

National Democratic Executive Committee, writes¹ to Polk and Jackson that Mr. Muhlenberg, the Democratic candidate for Governor of Pennsylvania, and other friends were greatly alarmed at the avowed intention of Tyler's friends in Philadelphia, expressed at meetings on July 4th, "to run separate electoral tickets"; that he deemed it a matter of "the highest importance" that letters should be written by Jackson and Polk "of a character to put Tyler's friends at perfect ease

¹ Walker MS., July 10, 1844. In this letter Walker also writes:

"On yesterday I called on the President who said that he knew that he was to retire to private life in any event on the 4th of March, and that he would at once withdraw, but that if he were to do so now, it would not aid the Democratic cause; for his friends were so exasperated by the assertions of the *Globe* and other presses that if he withdrew, they would either remain neutral, or many of them join Mr. Clay; that they considered themselves proscribed and invited not to join our party. He stated his deep regret at this state of things, and his great anxiety that Polk and Dallas should be elected . . . that his friends numbered about 150,000, and that they were chiefly Republicans who voted for the Whigs in 1840; and that if a different course was pursued towards them—if they could be assured on reliable authority that they would be received with pleasure and confidence by you and your friends into the ranks of the Democratic party and treated as brethren and equals, he would at once withdraw, and that his friends with all their influence and presses would then, he had no doubt, come in, and uniting everywhere zealously and efficiently with us, render our victory certain and easy."

as to the treatment which would be accorded them in case of victory."

On the next day Walker again writes¹ to Polk that he had just seen a letter of General Jackson, but "as it spoke of Benton as crazy it would not be published or even shown to Mr. Tyler." The letter actually shown to Mr. Tyler was one from Jackson directed to Major William B. Lewis, Second Auditor, and it was full of the most satisfactory assurances.² An extract from it found its way into the papers.³ Jackson in fact informed Polk of his action, and subsequently sent him a copy of the Lewis letter⁴; while Polk himself imitated Jackson's action by giving direct pledges to Walker and F. O. J. Smith in the Tyler men's behalf.⁵

It was by this means and on the basis of equality that the Tyler Whigs and Democrats united. The election of 1828 was repeated, for as in that election the followers of Craw-

¹ Walker to Polk, MS., July 11, 1844.

² It is dated July 26, 1844. MS.

³ Tylers, ii., p. 338.

⁴ Jackson MS.

⁵ Tallmadge MSS. to R. J. Walker, Dec. 9, 1844, and March 30, 1845. These pledges had nothing to do with the downfall of the *Globe* as charged by Blair. Tylers, ii., 404, 408, 409, 413.

ford and of Jackson won the victory over. J. Q. Adams, supported by Henry Clay ; so in this, under very similar circumstances, they won the victory over Henry Clay supported by J. Q. Adams.

In respect to the result the following extract from a letter of Gov. N. P. Tallmadge to R. J. Walker is explanatory :

“ FAYCHEEDAH, W. T., Dec. 9, '44.

“In this remote region we have just got returns enough to settle the Presidential election. I have never doubted the result and it seems New York decided the contest in favor of Polk. I am amused with the Whig papers in their awkward attempts to account for their defeat. They have abused the Conservatives [Tyler men] so much and underrated their numbers and strength in such a manner that they dare not charge the defeat to them. They, therefore, talk about the foreign vote, abolition vote, etc. But let any one compare the vote in the strong Democratic counties, where there are no foreigners and abolitionists, and the story is at once told. Those counties which gave Harrison such large ma-

majorities have now given Polk majorities equally large. These changes have decided the election. This is just as I always told you it would be. After the invitation given by Polk and Jackson through you for the Conservatives to unite with the old party and that all past differences would be forgotten and they treated as if no such difference had ever existed, they did not hesitate to go into the contest. The result is seen.”¹

¹ The Northern Whigs used to console themselves with the idea that if Clay had not written a letter half in favor of Texas to S. F. Miller, of Alabama, he would have retained the abolition vote and carried New York and Michigan. But the argument is as broad as it is long; for if Clay had not placated his Southern friends, who were all for annexation in one way or another, the chances are that the sensitiveness of slavery would have lost to him Delaware, Maryland, North Carolina, and Tennessee, the last Polk's own State, which were all carried for Clay by slender majorities. Keep in mind these facts. Before Clay's Raleigh letter appeared, the South was a unit for annexation—Democratic Address—Tylers, ii., 284. So Stephens said in the House that while there was division on Tyler's treaty, everybody in Georgia agreed as to the expediency of annexation.—*Cong. Globe*, 1844-45, 190. Duncan said that the Whig stump-speakers pleaded that Clay should be elected, because he was the man of all others to procure the annexation.—*Ibid.*, Append., p. 495. Milton Brown, of Tennessee, boasted that his resolution by which Texas was finally annexed was in fact “an original Whig proposition and received only a reluctant support from the Democrats.”—A. V. Brown's Speeches, p. 219. Add to all this the fact attested by Upshur, Tyler, and other witnesses, that two thirds of the Senate promised to vote for a treaty.—Tylers ii., 284, 285, 396. Cropper said that

After the presidential election, so far was Tyler from desiring in any way to embarrass his successor that he abstained entirely from making any new nominations save, indeed, in cases of resignation or other peremptory circumstances.¹

Senator Archer urged Upshur to consummate the treaty.—Richmond *Enquirer*, July 2, 1844. Archer, indeed, was guilty of a strange contradiction; for in his speech on the rejected treaty, he said that annexation by joint resolutions was the proper mode, and in his report on the joint resolutions he contended for the treaty alternative! In the *Lewis* letter Jackson assumes responsibility for making a declaration to Houston of the disposition of the Senate in favor of Texas on the strength of what Walker had informed him and what had reached him from other sources. See also Henderson's letter of March 30, 1844, Jones' Official Corr. The Tyler treaty which secured the lands of Texas to the United States was superior to the terms of the joint resolutions which left the lands to the new State. Jones thought the treaty a *great hardship* on Texas, and called attention to the fact that the United States in 1850 gave for only one third of the land, as much as the whole debt of Texas which the Tyler treaty assumed in return for the lands. Since that time Texas has realized many millions from this source, and to-day stands possessed of a most valuable land fund for school purposes, worth untold millions of dollars. So much for our wise Senate which lost this fund to the Union!

¹ As the names of all appointees made during vacation have, under the Constitution, to be submitted to the Senate at its next session, the session of 1844-45, like that of 1841, is made to bear a deceptive appearance. Previous to the election in 1844 the Whig office-holders ran mad over Clay's candidacy, and Tyler had to remove some of those whom he had left in office up to this time, for ample cause, involving official neglect. Many of the names mentioned by Niles were, however, only re-nominations. The talented authoress of the

Indeed, it is well known that at Polk's request, expressed through A. V. Brown and Cave Johnson, he put Mr. Polk's own brother into the only office of dignity open to him for appointment by the return of the incumbent, viz., the Mission to the Two Sicilies, a nomination which Polk could not well have made without incurring the charge of flagrant nepotism.¹

"Appointing Power" does not understand this, but, as Tyler was no longer a candidate, for want of a better reason, charges on Tyler "a spirit of revenge"—an idea at once repelled by the whole character of Tyler as shown in a hundred different ways. Thus, after the defeat of Clay, the President wrote to Jones, the editor of the *Madisonian*, who had said some hard words of Clay in his paper: "My own opinion is that we had better now leave off abusing Mr. Clay altogether. He is dead and let him rest."—Tyler MS. When he interfered on behalf of Crittenden's son, who was captured by the Mexicans, he wrote: "I would seek no sweeter revenge over my enemies than to render them favors."—Tylers, ii., 264, n. 3. At another time he said: "I expected no mercy at the hands of my opponents and should be very silly to bear malice."—Tylers, ii. For evidence of Tyler's indisposition to make further changes after Polk's election, see Tylers, ii., 357, 359.

¹ The office had been promised to a friend; but the friend, being assured by Brown and Johnson that Polk would provide for him, released Tyler from his promise. Polk never did anything for him. *Memorandum of a conversation with John Tyler, Jr.* R. Tyler, writing to R. J. Walker, Secretary of the Treasury under Polk, complained of Polk's proscription of Tyler's friends: "He [President Tyler] had very kind feelings, the kindest I may well say, towards Mr. Polk before his inauguration, and unless Cave Johnson, Aaron Brown, and James Walker made the falsest representations, he had some

It is also known that before sending the messenger to Texas with the joint resolutions for the annexation of Texas Mr. Tyler sent Mr. Calhoun to consult Mr. Polk, the President-elect, a proof of his anxiety in all cases to do the proper thing.¹ Nor did he vanish in the night of March 3d, as John Adams did, treating his successor as a kind of infection to be avoided as carefully as possible. On the contrary, Mr. Tyler welcomed Mr. Polk to the White House with dignity and respect, gave him and Mrs. Polk a dinner party, and while

reasons to be satisfied with his successor. This matter shall come up again next winter, and other matters connected with William H. Polk's and Pickett's appointments to office."—MS., August 28, 1845.

Nelson was made judge of the Supreme Court at this session, but he agreed in politics with Polk, and had the endorsement of all the New York Democrats. The vacancy had occurred at the previous session, and sought to be filled then by the appointment of John C. Spencer, rejected by the Senate. The vacancy was, therefore, one proper to be filled by Tyler.

¹ "I think that President Tyler, having been for four years diligently bent upon the annexation of Texas, cannot be blamed for exercising his constitutional right as President of the United States in completing the annexation. Sir Robert Peel's administration exchanged ratifications of a boundary treaty with the United States in the very last hours of its existence."—Geo. Bancroft MS., 20 July, 1883. "Tyler was a scholar," says Bancroft; "I remember the English Minister in New York expressing the opinion of his superiority over Van Buren."—*Memorandum of a conversation with Bancroft.*

not choosing to embarrass the new President by a continuance at the White House longer than five o'clock of March 3d, he remained in Washington at Fuller's Hotel until in company with Polk at the Capitol he saw him take the oath of office to support the Constitution of the United States.¹

But the best commentary on Tyler's use of the appointing power, on the high character of those he selected, and on his own vigilance and jealousy in supervising the disbursing agents of the government, remains yet to be mentioned. Tyler came into office on the issue of "Reform," when the spirit of spoils, engendered by the tariff and American system, had made every land receiver a defaulter and every custom-house a nest for rogues. The fidelity and ability of the office-holders appointed by Tyler are attested by no fact more conclusive than this, that during a period of four years but a single default occurred, and that scarcely worthy of mention, for \$15 on the part of a deputy postmaster somewhere in the interior of Kentucky.²

¹ Tyler had tendered to Polk the position of Secretary of the Navy after Gilmer's death.—Polk MS. to Cave Johnson, March 20, 1844.

² Tylers, ii., p. 398. The Post-office Department probably had more office-holders, than all the rest combined. When President Tyler

The strict-construction views of Mr. Tyler made him the natural enemy of patronage, and of its effect, "spoils and corruption." By his vetoes of the Bank bills, tariff bills, and bills for internal improvement, he deprived himself of extensive opportunities to extend the range of his personal favors, and saved the government from a host of appointments. By these means and by strict supervision over all disbursements, while he enlarged the navy, restored the dilapidated fortifications, and made numerous important treaties, he managed to reduce the expenditures of the government by many millions under the average of the expenditures of Mr. Van Buren. "In all things respecting the public expenditures, he (Tyler)," wrote Webster, "was remarkably cautious, exact, and particular."¹

jested with Postmaster-General Wickliffe about the \$15 defalcation in his department, and said, "Ah, Mr. Postmaster-General, you have cast discredit on me and my administration," this exemplary officer replied: "But, Mr. President, I have paid the money out of my own pocket!"

¹ *Ibid.*, ii., 373, 398. Tyler's average expenditures were \$22,987,411.78, which was \$3,481,158.95 less than Van Buren's.—Corwin's Report, Exec. Doc. [11], p. 9. The debt stood January 1, 1842, at \$15,028,486.37, with charges created by Van Buren unprovided for amounting to several millions more.—Sumner's Currency and Tyler's Message of June 1, 1841. In October, 1845, the debt stood at apparently \$17,075,445.52, but with a balance available of upwards of

And Jefferson Davis states the surprise of the committee of Congress (of which he was a member) appointed in 1846 to investigate the charges against Mr. Webster respecting the secret-service fund, when Mr. Tyler appeared before them, and "declining the offer of the book containing the warrants drawn against this fund, recited the warrants drawn, giving the names and amounts in each case, and thus covered all which the record contained."¹

\$8,000,000.00 in the Treasury.—Walker's Report, December, 1845. Treasury, departments and all, were bankrupt when Tyler took control, but this is what C. H. Raymond, the Texas agent at Washington, said at the close of his term: "The diplomatic corps waited on the President this morning at the White House. He has had much opposition and many difficulties to encounter, and yet no President has closed his term with the affairs of the nation in a more prosperous condition than they are at this moment."—"Jones' Official Correspondence," p. 417.

¹ "It seemed to me such an extraordinary exhibition of memory that I took occasion to remark upon it, when he modestly replied that supposing these disbursements would never be inquired into, he had felt more than the ordinary weight of responsibility in regard to them, and could not probably have so well remembered the expenditure of any other fund. Thus did he exhibit a conscientious integrity more commendable even than his memory."—Davis MS. Mr. Davis adds: "As an extemporaneous speaker, I regard him as the most felicitous among the orators I have known." Henry S. Foote, Davis' rival in Mississippi, entertained a like exalted opinion of Tyler's character and talents.—"Casket of Reminiscences," p.

Such was Tyler's administration of the offices. Some thought him a doctrinarian of narrow notions; but after all, old-fashioned as he was, did the peculiar views of this, the last of the Virginian Presidents, interfere with an enlarged administration of the government? Take the State Department, and from China to Africa its trophies are apparent: the Florida war settled; the Rhode Island difficulties adjusted; the Northeastern boundary, complicated with the troubles about the *Caroline*, *Creole*, and right of search negotiated; the Danes compelled to abandon their immemorial exactions on the commerce of the Danish Sound; damages exacted from Mexico, Venezuela, and other nations; extradition treaties with England and France; commercial treaties with Texas, the Zollverein, and other States; the Monroe doctrine carried to its farthest limits in the guaranty of independence

57. For Charles Dickens', Judge Henry Baldwin's, Munford's, Rives', etc., opinions of Tyler, see *Tylers*, i., 334, 336; ii., 191.

Mr. Edward W. Bok, editor of the "Beecher Memorial," writes that "only six weeks before his death Mr. Beecher, in an evening sermon of rare excellence, and delivered before an immense audience, in which he spoke to parents about the training of children, mentioned the example of President Tyler, and by his illustration brought tears to many eyes."—Bok MS., March 19, 1887.

given in 1843 to the Sandwich Islands ; the treaty made with China ; Frémont sent to explore the West despite the protest of his superior officers ; Whitman, the missionary, aided in transporting immigrants to Oregon ; Commodore Jones sent to explore the coast of California ; the honor of the Union maintained by Commodore Morris despatched with his man-of-war to protect an humble *colored* citizen of the United States from the outrages of the Montevideans¹ ; and finally Texas annexed. In the Navy Department a high state of efficiency prevailed : two new squadrons, the home and the African, added to the strength of the navy ; the old Navy Board abolished and the modern system of Bureaus established ; a bill to establish a naval academy passed by the Senate and only failing in the House ; a depot for nautical charts made a fact, and soon developed by the great scientist, Matthew F. Maury, of Virginia, into the National Observatory ; Alexander Dallas Bache raised to the head of the coast survey, etc.

In the War Departments Spencer had waded

¹ Spencer's Letter, *Niles*, 63, pp. 140-43.

through the tedious accounts that had accumulated there ; and the forts recently dismantled bristled with military equipment. In the Post Office the receipts were made to cover the expenditures, which had not been the case for years.

Finally, a full Treasury was handed over to Polk, into which no defaulter had placed his hand. The friend of science, Tyler aided Morse in his experiments with the telegraph, and took pride in having America represented in foreign courts by such eminent literary characters as Irving, Everett, Thompson, Payne, and others of almost equal distinction.

VIII.

THE SPOILS SYSTEM RE-ESTABLISHED, 1845-1849.

JAMES K. POLK was inaugurated on March 4, 1845. Did he respect the pledges which he had given to Tyler's friends? I am sorry to say he did not. The same quarrel occurred in 1845 between the Jackson and Crawford wings of his party as had occurred after the joint victory in 1828. The responsibility begins with Jackson himself; for though Jackson had shaken off the influence of the Albany Regency while Texas hung trembling in the scale, he fell again under it as soon as the presidential contest of 1844 was decided in Polk's favor. Persuaded by Blair and Benton, he urged Polk in December, 1844, to turn all the Tyler men out and not to appoint R. J. Walker to his Cabinet.¹

Polk, though he failed to obey in the last

¹ Jackson MS., December, 1844.

particular, obeyed with apparent alacrity in the first. And, therefore, no sooner was he inaugurated than he instituted the most remorseless proscription against the few friends Mr. Tyler had appointed to office, embracing also in the proscription the friends of Mr. Calhoun and even of Mr. Walker himself, who, as Texas men, had thrown their influence adversely to Van Buren in the Democratic convention in May, 1844.¹ Polk ostracised Tyler men, Calhoun men, Walker men, and Whigs. In the Wisconsin Territory, Tallmadge,² the

¹ Walker's correspondence contains letters from General Duff Green, denouncing the removal of F. W. Birdsall, a Calhounite, from the office of measurer in the New York Custom-House. Birdsall himself writes: "Be assured that you (Walker) are not forgiven for your course in that Convention (the Democratic), resulting as it did in the defeat of the nomination of Mr. Van Buren. It is the same unforgiving spirit that has induced so much perseverance to effect the removal of all the friends of the other Democratic candidates from the custom-house here. . . . Certain it is that the removals, with few exceptions, suit the Van Buren wing of his (Polk's) party, while the appointments, by their political character, would seem to result from the political and other associations of the Collector." —MS., September 11, 1845.

² In his letter of March 30, 1845, Tallmadge writes: "Mr. Macy says you suggested that I get letters from some Democratic friends against my removal from the place I now hold. I cannot consent to go about for letters on such a subject. I trust I am too well known to Mr. Polk and all his Cabinet to require any such thing. And after what Mr. Polk wrote to you and F. O. J. Smith in relation to the Conservatives and the reunion of the old Jackson party,

Governor, was removed. And so were Reed, U. S. Surveyor of Missouri; Captain John Lester, the hero of North Point; Van Ness, Hope, Cooper, etc., all friends of Mr. Tyler to whom Polk was bound by the most solemn considerations. Even Major Wm. B. Lewis, whom Jackson had made his go-between, went by the board after Jackson's death in June, 1845.

No part of this proscription was due to Walker, who performed his part in Polk's Cabinet as a statesman in procuring the reduction of the tariff rates of 1842. But the good of this reduction was more than set off by the enormous increase in the offices and expenditures occasioned by the Mexican war, instigated by the Albany Regency, with Marcy in the Cabinet and Benton in the Senate, at their head.

Polk had the opportunity for glory and rejected it. Briefly told, Tyler, as early as 1842, wished to send Webster to England to negotiate a tripartite treaty—England, Mexico,

and after what my friends did in New York, which carried that State and gave him the election, I do not deem anything necessary in relation to myself. I have never given myself one moment's anxiety about it, having entire confidence in Mr. Polk's good faith and justice in such a matter."—Tallmadge MS. to R. J. Walker.

and the United States as parties—by which the independence of Texas should be guaranteed, California and New Mexico annexed, and all of Oregon, save the part north of the Columbia River, acquired. Washington Territory, however, was to be sacrificed only for the much greater consideration of California and New Mexico. In 1843, Tyler sent Duff Green to Mexico as bearer of despatches with private instructions on the subject. Herrera, President of Mexico, was for peace, and sent his confidential friend, Isaac D. Marks, to Washington at the session of 1844-45, who impressed Tyler and Calhoun with the certainty of acquiring Texas, and all the other territory by this method. Soon after, Tyler's administration expired, and the same facts were imparted to Polk by Marks and by Ben. E. Green, who had been Secretary of Legation in Mexico. Thereupon, Polk sent Slidell to Mexico with a view to consummate matters; but, instead of sending him as minister *quoad hoc*, he greatly offended the Mexican pride by sending him as minister plenipotentiary. At the same time, Taylor was ordered to march to the Rio Grande. The result was Herrera's downfall and bloodshed, ending in difficulties

in the Union, only to be settled fifteen years later by war itself.¹ After four years, the result of Polk's policy, with reference to his party and the Union was seen. By his war policy and his failure to settle the slavery question when the treaty of *Guadalupe Hidalgo* was negotiated, and by the proscription of Tyler men, Calhoun men, and Whigs, he drove off thousands of supporters, and in the end found himself deserted by that very Albany Regency which he had so honored and favored. Led by Van Buren, Blair, Butler, and Tappan, the Albany Regency marched off to the "Freesoilers" in 1848 and accused Polk of all manner of broken pledges.² At the election in 1848, the "People's candidate," General Zachary Taylor, was voted for by thousands of Democrats, and elected. Polk survived the disaster only a few months and Taylor's death followed Polk's very shortly.

¹ Tylers, ii., 260, 434, 448, 449, 692. Duff Green's "Facts and Suggestions." Col. B. E. Green's MS.

² They said, for instance, that Polk promised to select Benton's proposition for the annexation of Texas. But all the Cabinet of Polk ridiculed the idea. See Mason's Letter, Tylers, ii., 408. I have a copy of Walker's MS. to the same effect, and Bancroft told me there was no truth in the charge.

IX.

CONCLUSION, 1849-1891.

I HAVE now come to a period within the memory of many now living ; and why should I detain the reader by presenting the details of other administrations ? The general fact is the same. By Polk's administration the spoils system of the old Funding times, when two Speakers of the House were acknowledged speculators in their own influence and votes, was fully re-established in the government. How could much change ensue for the better under either Fillmore, the Whig (1850-1853), or Franklin Pierce or James Buchanan, the Democrats (1853-1861). Personally pure, able, accomplished men, of incorruptible integrity, men of whom the nation might well be proud, the first, Fillmore, was brought up in the New York Anti-Masonic school, which had devised the national political convention ; and

the last two, Pierce and Buchanan, had been original Jackson men, who had admitted the principle of rotation in office and were, therefore, at the mercy of their own admission and of the spoilers who held them to it.

The condition of things was greatly aggravated when the Southern influence was entirely eliminated from one of the great parties.¹ The Whig party, never a unit, went to pieces, and in 1856 a new party, taking the name of the old Republican party, was formed in the North out of various fragments and fractions of the old parties. Composed of the dissatisfied of all the parties, it united the most fervent patriotism with the most notorious lust for spoils. The highest reverence for human rights was there combined with the utmost disregard for constitutional limitations. Into it went all the most notorious spoils elements of the country,—the surviving Anti-Masons led by William H. Seward; the Albany Regency led

¹ Miss Salmon, in her pamphlet on the "Appointing Power," citing authority of various kinds, shows that as late as 1859 the doctrine of spoils found no favor in the South. "The tendency of the North," she says, "was in favor of proscription; at the South against it."

It was Calhoun in 1835, who had moved to repeal the law of 1820, fixing a four-years' tenure of office in the Treasury Department, and he had received the support of the Virginia senators, Tyler and Leigh.

by Frémont (Benton's son-in-law), F. P. Blair, B. F. Butler, of New York, and many others of the old Van Buren Democratic clique; the "Know-nothings," whose secret orgies Henry A. Wise so effectually exposed; the Abolitionists, whose platform was the "immediate dissolution of the Union"; and many thousand foreigners who were fresh from the absolutism of the Old World and talked of allegiance to the "government" instead of to the people. Success of party had meant, previous to 1860, the proscription of men of different parties; success after it with the spoilsmen, the spoliation of a whole section. The principle of patronage sprung at once into active operation. The low tariff of the Confederate Congress figured in bringing about the war. "What will become of my tariff?" was the question asked by Lincoln of Col. John B. Baldwin.¹ The war had to be, with the true men of the North, in order to save the Union; but with the spoilsmen, in order to save the Morrill tariff, passed after the Southern senators had left their seats. Otherwise "grass would grow in the streets of New York." War, once opened for the sake of Union, justi-

¹ Tylers, ii., p. 633.

fied, under the guise of patriotism, any and every measure of spoils. The offices were multiplied tenfold, the expenditures of the government increased beyond the worst dream of the Anti-Federalists; and when the Union was saved, and the South was subjugated, there poured down upon its war-worn fields and charred and smoking towns a host of public plunderers in comparison with whom the Swartwouts of Jackson's day were angels. One Moses, who was thought by the ruling powers a fit person to lead the poor South Carolinians out of the wilderness of Reconstruction, was sent to a prison home in his native State of Massachusetts.¹

¹ DEBTS AND LIABILITIES OF THE SOUTHERN STATES.

States.	At the Close of the War.	After Reconstruction.
Alabama	\$5,939,654 87	\$38,381,967 37
Arkansas	4,036,952 87	19,761,265 62
Florida	221,000 00	15,763,447 54
Georgia	Nominal.	50,137,500 00
Louisiana	10,099,074 34	50,540,206 61
North Carolina	9,669,500 00	34,887,467 85
South Carolina	5,000,000 00	39,158,914 47
Mississippi	Nominal.	20,000,000 00
Tennessee	20,105,606 66	45,688,263 46
Texas	Nominal.	20,361,000 00
Virginia	31,938,144 59	45,480,542 21
	\$87,009,933 33	\$380,160,575 13

Probably some of the evil doings in the South enacted after the war were unavoidable. Probably they were, many of them, necessary features of a time of disorganization. Probably all men and all sections, blinded by bad passions, judged wrong and acted wrong. We do not need to enquire into responsibilities, but it is sufficient to say that the same principles that called into being the spoils system a hundred years ago existed and held high carnival during the days of Reconstruction. Since that time they have continued to exist, as evidenced by a tariff pronounced by Prof. W. G. Sumner, of Yale College, "unexampled save by the most unenlightened nations on the earth," by vast surpluses in the Treasury, by vast appropriations, by public defaulters without number, by enormous grants to railroads of the public lands, by Star-route rings in the Post-office Department, and by presidents and Cabinet officers turned speculators and stock-jobbers, some of the last actually charged with and tried for embezzlement. One wearies of the record of shame.¹

¹ George F. Hoar, the able and eloquent senator from Massachusetts, declared in a speech in the Senate, during the trial of W. W. Bel-

Briefly told, Lincoln, Johnson, Grant, Hayes, Garfield, Arthur, Cleveland, and Harrison have all had to struggle with the demon of the "spoils."

Under the system of legislation which has prevailed since the war, offices have been created for millions of dependents. The recipients of government bounty, whom Calhoun, in his report in 1835, thought so alarming, would appear as a corporal's guard beside the army after army of office-holders, pensioners, agents, etc., now supported by the Federal government. The expenditures¹ for a single year under the present régime would have run the government twelve years as administered by Andrew Jackson. And not the least ugly feature of all this is that on the unfortunate South falls the burden of this vast spoliation. Out of the whole number of those who receive substantial assistance from the Federal gov-

knap, Grant's Secretary of War, that he had heard "the taunt from friendliest lips" that "the only product of her [the United States'] institutions in which she surpassed all others beyond question was her corruption."

¹ Out of all proportion to the population, which has increased but five times the population of Jackson's day. Jackson's average expenditures were in rough numbers, \$25,000,000; the net expenditures for 1889, \$299,288,978.

ernment probably not over one hundredth part reside in the Southern States.

But no good cause was ever yet won by despair. In spite of the tremendous agencies for evil in affiliated co-operation, the signs of reform are seen. It is impossible to suppose that a people as intelligent as the people of the United States will forever submit to injustice, forever lie under the heel of the speculator. The South once, through her presidents, tried to lead the way to reform, but her efforts were not permanent. One turns hopefully to the land of the Sumners, the Fiskes, the Eliots, and the Blaines.¹ Let New England, rich in

¹ Mr. Blaine, in lately advocating a policy of reciprocity with South America, should be reminded of the sentiments of the celebrated student of international relations, Jonathan Elliot, who, writing to one at the head of affairs like Mr. Blaine, said :

“Our foreign relations under your guidance will doubtless be so conducted as to draw closer those ties which so happily in times like the present bind us in amicable relations with all the civilized nations of the earth on the basis of that liberal commercial reciprocity and free-trade of which it has been the glory of our earlier negotiators to lay the corner-stone in the preamble to the first treaty with France in 1778; and which has since formed the basis on which all our negotiations have been negotiated.” MS., Oct. 19, 1841.

Mr. Blaine has the example before him of Sir Robert Peel, who, as Prime-Minister, came into power the avowed champion of protection, but left it having procured the overthrow of the corn laws and the whole tariff legislation.

her trade and commerce, in her arts and sciences, in her statesmen and her scholars, in her talents and genius, step at length to the front and win a victory for reform which will not be temporary. The Old New England had its faults, even if it had its merits; but it is to the "*New New England*" of to-day, full of progressive and liberal ideas, that I appeal.

APPENDIX.

I.

WASHINGTON'S CABINET.

IT is sometimes said that Washington, in selecting his cabinet in 1789, aimed at the establishment of a balance between parties. This would have been a most absurd proceeding, and the facts are all against the idea. Hamilton and Knox were conceded Federalists, while Edmund Randolph had been one of the main champions of the Federal party in the Virginia Convention of 1788. Jefferson had been out of the country at the time of the adoption of the Constitution, and on the question then before the public had declared himself as "neither Federalist nor anti-Federalist." It was after the formation of the cabinet that Randolph and Jefferson united

with the anti-Federalists under the name of Republicans. It is curious to read John Adams' arraignment of Washington's administration for *monopoly* and *exclusion* which he said "prevailed throughout," and to which "he had been so often compelled to submit." ("Works," x., 121.)

II.

TYLER AND THE BANK.

Clay's disloyalty to Tyler goes back to the session of 1838-39, when, in the election for senator, he instigated the Whigs at Richmond to vote for Rives, who had opposed the Whig party in everything, over Tyler, who had helped to build it up. A. P. Upshur, in a letter, dated March 23, 1840, writes as follows:

"John Tyler was sacrificed by the party which brought Rives into power; and yet the Whig party, with whom and for whose sake Tyler fell, has endeavored to put the heel of this same Mr. Rives on his head. By what terms shall we designate such conduct as this? Who can hope to win the favor

of such a party by deserving it? Who can expect to escape its persecutions by serving it faithfully? After all that it has done,—I speak of it in Virginia,—it would not be at all surprising if Mr. Van Buren himself became its chosen leader. As mere parties then, and in reference to party conduct, a hair makes the difference between Whigs and Democrats. With professions of States-rights doctrines, loud and ostentatious, until credulity is shocked and good taste disgusted, what has either of them done to sustain the principles it professes? . . . Now tell me which of the great parties will come forward in good faith to build up the States once more in their just dignity and importance, and thus restore the true and only balance of the Constitution? Neither of them,—my life upon it, neither of them. . . . However, I will merely add that I have great respect for, and confidence in, General Harrison. If the Whigs should elect him, as I sincerely hope they may, I have great hopes that he will do as much as a President *can do* to restore the government to its purity.”

Shortly before Upshur's letter, the Anti-

Masonic Whigs defeated Clay's nomination at Harrisburg by setting up Scott as a *tertium quid*. Something of the same intrigue was attempted against Tyler by the same parties, who tried to make Tallmadge, Leigh, Bell, Preston, and others the instruments of their purposes. But so contemptible and far-fetched were these movements to Tyler's injury, that, according to the statement of the conspirators themselves, the effort failed in the case of Preston, since "not a single Southern delegate approved the suggestion of his nomination for Vice-President." (*Niles*, 61, p. 232.) Leigh, also, indignantly denied that he was the convention's choice, and Judge Owen was for Tyler because he carried North Carolina in 1836 for Vice-President, when Harrison and White lost it. Indeed, Legaré voiced the Whig convention when he wrote: "As for Mr. Tyler, if he does not obtain the unanimous vote of the South, I shall begin to fear that faction has entirely bereft us of the clear judgment of which more than any other people we stand in need."¹ The substitution of any of the parties named as the Whig nominee

¹ Legaré MS., June 12, 1840.

would not have made the Whig record any better ; for all of them, like Tyler, were originally anti-Bank Democrats. Tallmadge became a Tyler man subsequently.

After the election of 1840, Clay began the work of discord as soon as he saw there was probability of his rival, Webster, being called into Harrison's Cabinet. Tyler saw the rupture in advance, and wrote to Wise, November 25, 1840, that "the introduction of either Clay, Scott, or Webster into the Cabinet would excite the jealousy of the others and produce discontent and final rupture."¹ Again he wrote on December 20, 1840 :

"There are so many jarring views to reconcile and harmonize that the work is one of immense difficulty ; and in your ear let me whisper what you already know—that that branch of the Whig party called the Nationals is composed of difficult materials to handle. They are too *excessive* in their notions,—I mean many of them,—and are accustomed to look upon a course of honest compromise as a concession of something which they call principle, but which, dissected, is nothing

¹ Tyler MS.

more than mistaken convictions." On January 15, 1841, Mr. Gilmer, the Governor of Virginia, wrote that the appointment of Webster ("a Federalist of the worst dye") as Secretary of State had been disapproved by "Tyler and all the Southern Whigs at Washington." ¹

In the meantime, Clay had organized his caucus in Congress. He would not tell Wright in the Senate whether he meant to propose a Bank,² but he took his measures accordingly. The work at the last session under Van Buren was done in secret. He said to Wise that it was "a fortunate thing old Virginia had gone for Van Buren, as the Whigs would not now be bound by her peculiar opinions." But to this remarkable doctrine of morals Wise retorted that he had one time heard Clay say that "he would prefer to be defeated with his native State, Virginia, on his side, to being victorious with her vote against him."³

Clay offered Wise important foreign missions, and tried to persuade Preston, from whom he anticipated opposition in the Senate,

¹ Tylers, ii., p. 704.

² *Ibid.* ii., p. 6.

³ Hambleton's "Virginia Politics, and Life of Henry A. Wise."

to accept a seat in the Cabinet. Alleging an impoverished treasury, he induced Harrison to call an extra-session, using the strength of the Whig caucus to enforce his views. Harrison called the extra-session, but would not declare for a national bank ; and on the contrary expressed advanced States-rights views in his inaugural, describing the Union as "a partnership" of allied States. He ceased to confer with Clay, complained of the Federal Whigs, and in an interview with Thomas Dunn English received in no pleasant manner the suggestion that the Whigs contemplated a Bank measure.¹ Harrison's confidential friends told Rives that a District Bank, *with branches in the States with the assent of the States*, was "a favorite and fundamental idea" with Harrison.²

Tyler succeeded Harrison on the 4th of April, and Thompson's statement of his interview with the Vice-President on March 1, 1841 ; Tyler's letters to Rives of April 9th ; to Tucker of April 25th ; to Clay of April 30th ; Tyler's interview with Clay at the extra-ses-

¹ Newark *Sunday Call*, June 6, 1888.

² *Congressional Globe*, 1841 ; Appendix, 367.

sion ; and Ewing's statement that Tyler's veto of the first Bank bill was according to his "expressed opinions pertinaciously adhered to," render the charge that he surprised the Whigs by his course supremely ridiculous. It is true that Tyler in his inaugural, April 9, 1841, expressed general principles only, and did not indicate particular acts. Neither did Washington, or J. Q. Adams, (or Lincoln, when he spoke of executing the laws, "so far as was practicable" ; but did not say whether he would reinforce Fort Sumter or not). Ritchie said that Harrison's inaugural, which said not a word of Bank or tariff, was "a miserable flummery of vague generality." And yet Schurz, who praises Lincoln and Harrison, charges Tyler with equivocation. Different from Schurz, Benton quarrels with Tyler for departing, in his inaugural message, too much from the "reserve" and "generality" of such papers ("Thirty Years' View").

Indeed, in referring to the opinions of the "fathers of the Republican school," Tyler made his position on particular measures far more certain than probably any one of the presidents named ; since, in a letter to the

Whigs of Norfolk during the preceding campaign, he had boasted¹ that "he had never departed in any particular" from the views held by the Republican school,—a claim he stood scarcely entitled to make if the Bank measure, against which he had repeatedly voted, was a measure of that school.

In his message at the extra-session, June 1, 1841, Tyler clearly put the Bank out of consideration by saying that it was condemned by the popular voice, the arbiter to which the Whigs had repeatedly appealed.

Mr. Ewing, the Secretary of the Treasury, in close accordance with Harrison's views and with Tyler's scruples, recommended a Bank which obviated the objection of national incorporation inhering in the old Bank, by locating the main bank in the District of Columbia, and authorizing it to establish its branches in the States with the assent of the States. The outlines of the plan had received the approval of Eppes as far back as 1814, of Calhoun and the most rigid States-rights men since. But Clay denounced² the measure as "a rickety

¹ Tylers, i., p. 623.

² *Cong. Globe*, 1841, Append. p. 354; Tylers, ii., p. 54, 80 (note 2).

District bank," and proposed a scheme of his own with all the old objections. The President vetoed it.

However, he did not send his veto in at once ; for though, as he told Bell, " he had made up his mind on the veto from the first," he thought, " to give time for the excitement to subside." In the interim, he advised a District bank, which should have agencies in the States to deal in exchanges only and be free from local discounts, which made even Ewing's measure obnoxious, as a matter of expediency, in its details.

During the consideration of the *principle* of this measure, Tyler offended Ewing, Granger, and the rest by stopping their proscription in the departments. By way of retaliation Ewing, Bell, and Badger asserted afterwards that Tyler said nothing about the assent of the States as to the last Bank measure. But Bell also said that he could not pretend to relate all that Tyler had said at the Cabinet meeting, and there was Ewing's declaration in regard to Tyler's " pertinacity " about the first bill vetoed, which turned entirely on State assent. The President relates that he intend-

ed to follow the principle laid down two years before by the Supreme Court (*Bank of Augusta vs. Earle*), according to which, in establishing agencies to deal in exchange, the assent of the States, by the comity of nations, might be presumed till directly withheld. And that this was his understanding is proved by A. H. H. Stuart, who on the day of the first veto brought to Tyler the very paper made the basis of the bill in question, and received in the President's own hand on the margin an amendment which saved the point so important to be recognized. This paper was carried, so Stuart says, *to the Whig caucus*; and yet, though from either design or otherwise, the bill as adopted by Congress did not contain the marginal reservation, both Stuart, who admits the amendment, and the three Cabinet officers mentioned, most strangely asserted that the bill contained the principle contended for by the President!¹

Now Ewing was quite right in declaring that the principle discussed contained nothing "new" to Tyler, to whom the whole Bank question had been long familiar. Indeed, the paper brought by Stuart to the President had

¹ See Benton, ii., 212, 241; Tylers, ii., 98-103.

been offered by Bayard in the Senate more than *seven* weeks before ; and Tyler had then taken the same position in conversation as he took to Stuart afterwards, and so had Rives in a public speech at the time.¹

Kennedy quotes Tyler as saying several days before his first veto that his forthcoming message "would shadow forth a measure which had been long endeared to him."—"Statesman's Manual.") Botts also stated that the President, in the early part of the session, spoke to him of an exchange bank which he said he much preferred to Ewing's measure. Indeed, as far back as 1834, Tyler had mentioned in the Senate the beneficial effects exerted by the old Bank through this feature of its business. Hence Wise's ascription to Rives of the authorship of the last plan must be taken with the allowance due to a book written without documents and in his old age.²

A principle only was discussed at the Cabinet meeting of August 18th ; and as to the reported draft of the bill Ewing could only say he had "heard" that Tyler had seen and approved

¹ Tylers, ii., 99 ; *Cong. Globe*, 1841, Appendix, 353.

² See "Seven Decades," p. 188.

it; but Webster, whom in a subsequent letter Ewing gave as his informant, never confirmed the charge, and Tyler unequivocally denied it. Who, indeed, should have known better the extent of his suggestions at the Cabinet meeting—Tyler, who made the suggestions, or the ministers who received them second-hand? The Cabinet was told merely “to aid” in getting the bill before Congress properly; but “not to commit him (Tyler) to members of Congress.” In accordance with the most familiar rules of agency, Tyler reserved most fully the right of confirmation, as well he might in a matter so important. The fact is, as Bell admits, Tyler especially required that the bill should be submitted to him for correction “before it was presented to the House.”

According to the garbled statements of the Cabinet ministers, he appeared even more cautious as to his attitude than ever before, insisting that the thing should not be called a Bank of the United States, as indeed it was not, being a mere District bank, and in relation to the Union at large a fiscal agent or institute for the collection and disbursement of the national funds.

As soon as the President became aware of the defects of the bill, at once in every possible way were the Whigs who had the bill in charge informed of their mistake. The editorials of the Washington *Madisonian* of October 26 and 27, 1842, are minute in giving details which are confirmed by the independent statements of Tyler and Wise. First, Messrs. Gregg and Williams, of New York, were sent to Sergeant to inform him of the President's objections, and then, Wise dropping in at the White House, the President sent him also to Sergeant, lest the first message might miscarry. Botts, who admits seeing the amendment drawn by Tyler to relieve the bill of its objections, and which was put into the hands of many members of Congress, repels Ewing's insinuation that Tyler vetoed because of pique at the disclosures in Botts' "Coffee-house" letter, and points to facts inconsistent with this idea.¹

Indeed, Benton and Buchanan show that the last bill was really a worse discount affair than the first, since in the most obvious manner, under the management of the attorney for

¹ *Niles*, 61, p. 79.

the old United States Bank, John Sergeant, who answered to the description of a true "Philadelphia lawyer," all the restrictions even of the first vetoed bill on the running and renewal of paper had been covertly stricken out in the latter.¹ Now if the objections of Tyler, of Harrison, of White, and of the Supreme Court were mere "cobwebs," as Schouler, the Boston historian, seems to think, pray why did Clay reject the original Cabinet measure or decline to let the Whigs accept any amendments of the last measure, though they were fully warned beforehand in respect to its defects? Either the "cobwebs" were of vital importance, or the Whigs did not really want a Bank and acted in bad faith throughout. Schouler can take either horn of the dilemma that he fancies.

Probably, after all, it was the similar want of sympathy of Ewing and the rest with Tyler's scruples that accounted for some of their stubbornness. Thus, Archer, who admitted that the decision in the case of the Bank of Augusta *vs.* Earle gave the right to deal in exchanges in the States *till prohibited by them*, excused the

¹ *Cong. Globe*, 1841, 419; Appendix, 340-346.

absence in the bill of the limitation in italics, because, although the defect created an unconstitutionality, "it was an unconstitutionality which existed *in futuro*,"—a contingency deemed by him not necessary to be taken notice of!¹ The bill was rushed through under the previous question, and when Tyler sought to postpone the measure till the next session, the answer came that he must pledge himself to retain his Cabinet. This is stated on the authority of Tyler, Spencer, Cushing, and Wise.²

Ewing admitted making the attempt to effect a postponement, and said the Whigs declined because "the President would give no assurances that the delay was not sought as the means and occasion for hostile movements."³

When at a later day Botts proposed to impeach the President, Wise, who knew all the parties implicated in the overture made to Tyler, "challenged, defied, and dared" the Whigs to proceed. The trial would release

¹ *Ibid.*, 1841, Appendix, 339.

² Tylers, ii., 100. *Niles*, 63, p. 140. Cushing's speech at Newburyport, 1842, and *Cong. Globe*, 1842-3, p. 98.

³ *Niles*, 61, p. 33.

both Tyler and Webster from the obligations of silence as to Cabinet measures, and to one Thompson who denied that he was one of the parties, Wise said that "it did not make the fact false because one member out of 242 had no knowledge of it." He said "he could lay his hand on more than one member who could testify."¹ It is also now known that while the bill was pending in Congress Botts and Crittenden, the latter, a member of the Cabinet, wrote secretly that the Whigs intended if possible to obtain a bank with a larger recognition of Federal authority than the one first vetoed²; and J. Q. Adams, who voted against the first bill vetoed (called the Fiscal Bank of the United States), because, as he said, it had been adapted too much to the President's views, *voted for the Fiscal Corporation of the United States* (as Sergeant had called the last measure, despite the admission of the Cabinet that the bill was to be called the Fiscal Institute).

But the last act of the Cabinet rendered their motives too plain. The Constitution appears to limit the President's power to fill

¹ *Cong. Globe*, 1842-3, pp. 98, 416.

² *Tylers*, ii., 116.

vacancies to cases "happening during vacation." After the second veto, instead of waiting till vacation, all save Webster resigned a few hours before Congress adjourned, thus necessitating nominations immediately.¹ Crittenden was one, at least, who calculated upon the possibility of plunging the government into anarchy.² And while all these fine proceedings were enacting, Clay, whom drink, disappointment, and jealousy of Tyler and Webster had made a perfect maniac of, was abusing senators like Choate and King and threatening to "drive Tyler before him."

The statements of the Cabinet ministers themselves are full of contradictions. Thus Ewing said that his bill had received the President's approval, but in the next breath he declared that the President "had not read it throughout"—having in fact suggested but the general principle. Again he said that the President never consulted him about his veto of the Fiscal Corporation, but he subsequently³ admitted that he was present at a Cabinet

¹ Mr. Frederick Schley of Baltimore said that he was present at the meeting or dinner when Clay dictated the Cabinet resignations.

² See Tylers, ii., 95, note 1.

³ *Niles*, 63, p. 283.

meeting when the whole affair was discussed. Indeed, a correspondent of the *Madisonian* declares that he was present with Tyler on the day the bill was introduced in Congress, and heard him in Ewing's presence strongly object to the measure. As to that, Ewing admits that he heard from others that Tyler had said that "he would cut his right hand off first rather than approve the bill,"—a remark which Botts identifies as made within the *two days* that the bill¹ rested before the House, and no denial is made of the repeated messages sent to Sergeant in the earliest moments of the measure.

But why, indeed, was Tyler under obligations to inform Ewing especially on a question that he had so fully discussed with him at the Cabinet meeting of August 18th? The fact is, as Tyler states, fully fifty persons stood informed of the President's objections by the President personally, and this before anything was done, or vote taken.²

Ewing also stated that his bill, whose general outline the President had approved, had the power to deal in exchanges as fully devel-

¹ *Ibid.*, 61, p. 79.

² *Tylers*, ii., 100

oped as the Fiscal Corporation. But Clay had denounced Ewing's bill as "a mere local bank,"¹ while he voted for the Fiscal Corporation as a national institution. Ewing's bill proposed only to *employ* State banks to transact the business in the States "other than local discount," while the Fiscal Corporation proposed to allow the incorporators to create [charter] agencies or banks in the States for that purpose!

All that the Whigs could trump up against Tyler were *rumors* that he was intriguing with the Democrats, who, nevertheless, opposed all forms of banks; and that he instigated certain letters to the New York *Herald*. But for these rumors there was no authority, and in fact they were absolutely false.

Tyler subsequently recommended the exchequer, which, derided by the Whigs in 1841, received the high endorsement of Sir Horsley Palmer, late president of the Bank of England²; but just as the sub-treasury first rejected by the Democrats in 1834 was afterwards accepted by them, so the exchequer was taken up many

¹ *Cong. Globe*, 1841, Appendix, p. 354.

² *Lippincott's Mag.*, March, 1888.

years later by Lincoln and Chase and made the basis of the present system of government finance.

I append Mr. Tyler's letter to Mr. Clay of April 30th, 1841. He urges him, if he must have a Bank, to devise one which shall obviate "constitutional objections." This was the very description given by Ewing in his report to Congress on June 2, 1841,¹ explanatory of his District bank, which Clay rejected, because it avoided the only constitutional objection recognized by Jefferson himself, the power of "national incorporation."²

(JOHN TYLER TO HENRY CLAY.)

WASHINGTON, April 30, 1841.

MY DEAR SIR :

Your letter of the 15th was received some days ago, and its acknowledgment at an earlier day has been prevented by pressing engagements. At its date you had not probably seen my address to the people of the U. States, which was designed as an exponent of the principles on which I should administer the

¹ *Tylers*, ii., 35.

² "Jefferson's Works," v., p. 412; vi., p. 305.

Gov't. Considering the brief time allowed me and the extreme pressure on my time, it will not be expected that I shall come before Congress with matured plans of public policy connected with deeply interesting and intricate subjects. There are some points so simple in themselves as to require but brief consideration. The repeal of the sub-treasury and, if necessary, additional burthens for the relief of the Treasury. The wants of the Treasury will be made manifest, and the state of our military defences requires immediate attention. There is not a seaport town that does not hold its existence at the will of a great naval power. Altho' I am not apprehensive of a war, yet I cannot but feel solicitude as to the ability of the country to repel invasion. If these shall be the only matters attended to at the extra-session, great good will have been done. The pressing wants of the Treasury will have been relieved, the war on the currency will have ceased, and the banks be placed in a condition to afford partial relief. Should legislation stop here, the public monies would be restored to the custody provided for them by the Act of 1789, which law

has been abrogated by the course of Jackson and his successor. To these objects the late President's proclamation concerning Congress seems exclusively to have looked. It will, however, be for Congress to decide whether other measures shall claim its attention. The citizens of this District should undoubtedly not be forgotten.

My opinions on the subject of a distribution of the proceeds of the sales of the public lands were promulged some three winters ago in a report submitted to the H. of Delegates of Virginia. I made the basis of that distribution an abandonment of that course which has for some time prevailed, of annual appropriations to harbors and rivers, a course wholly indefensible in any view in which I can regard it,—thereby substituting a wholesome, sound, and agreeable action in place of one unequal and therefore unjust, not to say anything of its want of constitutionality—and without which substitution the loudest and most violent complaints will be urged against the distribution at this time.

As to a Bank, I design to be perfectly frank with you—I would not have it urged prema-

turely. The public mind is still in a state of great disquietude in regard to it. The late exposures at Philadelphia have not been calculated to put it at rest. The misnomer given to that Bank by the injudicious policy pursued by those who obtained its charter and the late disclosures have furnished the demagogues with new weapons to assail those who advocate a Bank charter,—whilst the close division of votes by which, if at all, it will pass through Congress, will encourage the *ultraists* in efforts to destroy it before it can go into operation. I apprehend a strong protest from the minority and an avowed purpose to cancel it, the charter, at a future day. Should this be done, are you sure that capitalists will adventure their capital in it? The fact is before the world that Jackson tore the charter of the old Bank into tatters, and his followers will go forth as agitators, and the result of their agitations may prove disastrous. If, however, you see nothing in this of force, then I desire you to consider whether you cannot so frame a Bank as to avoid all constitutional objections—which of itself would attach to it a vast host of our own party to be found all over the

Union. I make these suggestions for your consideration—and make them in that spirit of frankness which will always characterize my course towards you. I have no intention to submit anything to Congress on this subject to be acted on, but shall leave it to its own action, and in the end shall resolve my doubts by the character of the measure proposed, should any be entertained by me.

My attention is turned to the removals from office after the manner that you suggest, and I hope that to the recent appointments you have nothing to object. The P. Office at Lexington shall be attended to. I derived very great pleasure in affixing my signature to the Commission of Mr. Denalde for the appointment of naval officer at New Orleans.

I tender you assurances of high esteem and regard.

JOHN TYLER.

Hon. Henry Clay. "¹

¹ I am indebted to the courtesy of Thomas H. Clay of Boston, grandson of the illustrious Senator, Henry Clay, for the copy of this letter. For other letters made use of in this volume I am indebted to Dr. J. S. H. Fogg of the same city.

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