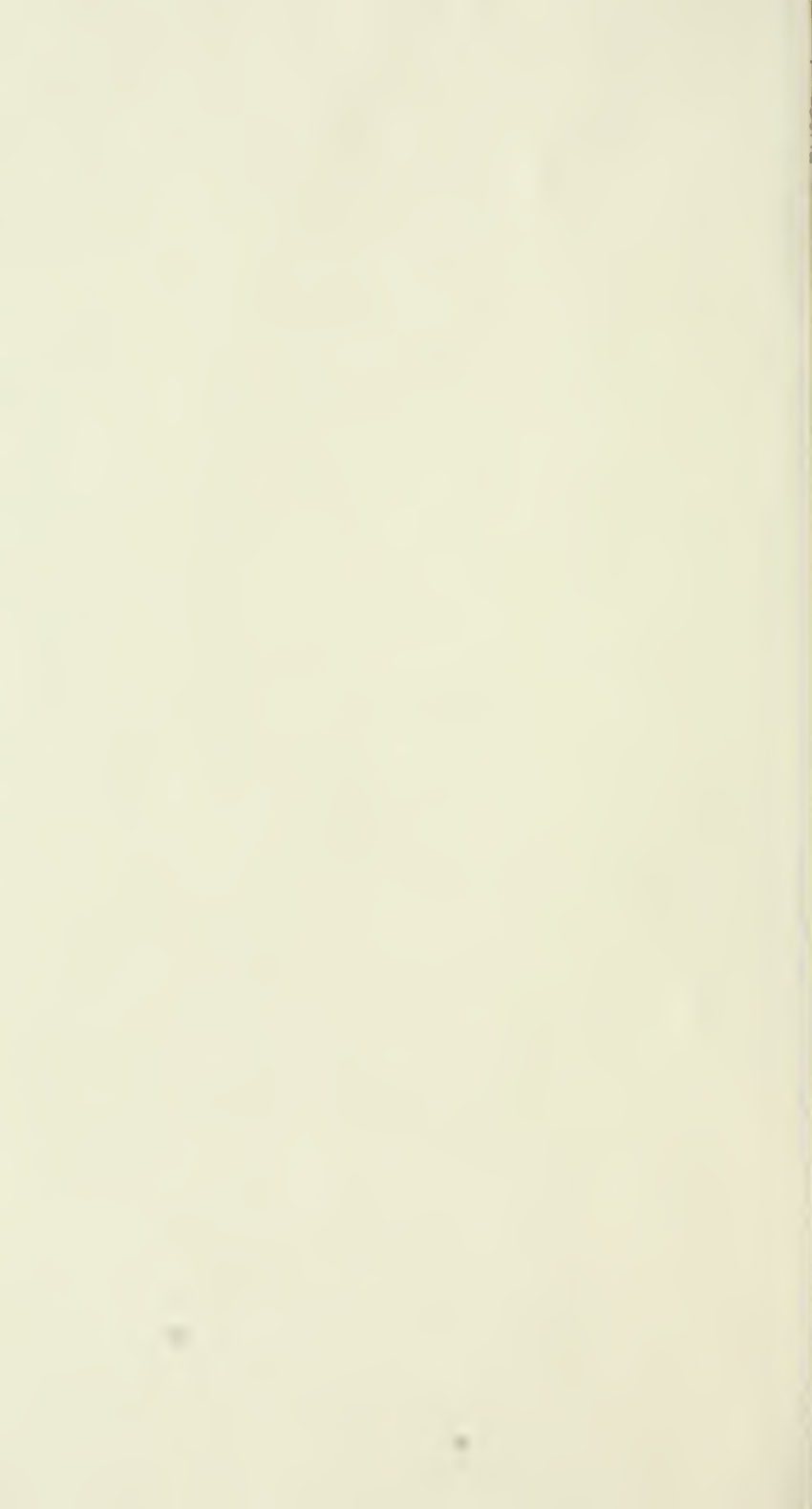




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# LIFE AND SERVICES OF HENRY CLAY.

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ADDRESS OF CARLETON HUNT.

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*Mr. President, Ladies and Gentlemen, Fellow-Citizens:*

The memory of a truly great man lives on in example and instruction. It never dies. Nearly forty years have passed away since I followed the grand marshal as one of his aids, on the occasion of the finest pageant New Orleans has witnessed, when the colossal statue of Henry Clay by Joel T. Hart, about to be erected on the spot where I am now standing, on the mound raised in the middle of Lafayette Square, was unveiled on Canal street, at the intersection of that thoroughfare with St. Charles and Royal streets. Since that time a mighty Revolution has swept over the country. Slavery has been abolished. State after State has been added to the Union. The flag of the Republic has been carried in triumph on land and sea through a foreign war, and has been planted in the most distant parts of the earth. A generation has come and gone, and my dear kinsman and preceptor in the law\*, who pronounced the oration, has after a distinguished professional career at the bar, of varied and difficult employments, and after filling high office at home and abroad, been gathered to his honored fathers. The memory of Henry Clay not only survives, but is as green and fresh as it was at the time to which I have referred. His name has very recently been chosen for undying honors by a body composed of Governors of States, Supreme Court Judges, Presidents of Universities and of Colleges, Publicists, Professors of History and Science, Authors and Editors, as one of the first twenty

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\*William Henry Hunt, Judge U. S. Court of Claims, Secretary of the Navy in the cabinet of President Garfield, and Envoy Extraordinary and Minister Plenipotentiary to Russia.

nine illustrious native-born Americans to be inscribed in the Temple of Fame, on the heights which overlook the city of New York, itself the proudest monument of the Union of the States.

The removal of the statue of Mr. Clay to the square which bears the name, consecrated in the affections of all true Americans, of Lafayette, has taken place by order of the city authorities of New Orleans, owing to the congested condition of Canal street, now virtually abandoned to street cars, and is designed to preserve the monument for all time as it ought to be, in a preferable locality, facing the City Hall, in the midst of the suitable surroundings afforded by these grounds, with their walks, trees, plants and beautiful flowers. The present dedication of the corner stone for a new pedestal, has proceeded by direction of a committee of the Common Council, under a resolution of that body passed to do honor to the memory of the great American statesman. The stone has now been laid in the presence of this concourse of the people, by his Honor the Mayor of New Orleans, assisted by the Most Worshipful Grand Master of the Ancient Masonic order, who has been accompanied to this place by a Past Grand Master and by the Right Worshipful Grand Secretary. The part assigned to me in the exercises of the day will, as I think, be best discharged by passing in review as rapidly as is consistent with the character of an event in many ways so memorable, the life and services of Mr. Clay.

Henry Clay was born in Hanover county, Virginia, April 12, 1777. His father, John Clay, a Baptist clergyman, was a person of considerable talents and of high respectability, remarkable for his fine voice and delivery. Henry Clay's mother was a woman of exemplary qualities and of patriotic spirit. He went to school in a neighborhood known as "the Slashes," near Richmond, in a log house, where Peter Deacon was master. In after years, when he was a candidate to be President, and enjoyed a degree of popularity which is almost indescribable, his picture was constantly to be seen as "*the mill boy of the Slashes*," riding the family horse, with nothing but a grain sack for a saddle, on his errands to and from the neighboring mill. From having gone to the then distant State

of Kentucky to live, he acquired from his fond and enthusiastic followers the name of "*Harry of the West*," which was carried with acclamations, as no other has been before or since, far and wide throughout the valley of the Mississippi. Mrs. Clay having, upon her husband's death, married Captain Henry Watkins, Henry Clay was at fourteen made "boy behind the counter" in the retail store at Richmond of Richard Denny, but Captain Watkins having found the way through Colonel Tinsley, a member of the House of Burgesses of the State of Virginia, to a place for Clay in the clerk's office of the High Court of Chancery, he was selected by George Wythe to be his amanuensis.

Contact with the men of the Revolution was of inestimable advantage to those of the next generation. Love of Civil Liberty; the necessity for united effort in order to secure it; knowledge of the principles of free government; the sacrifices made to achieve it; the exalted leadership under which the great cause proceeded, and the homage accorded to service on the patriot side, all contributed to develop for the men of the period a national character of extraordinary strength and purity, and served also to communicate inspiration to the young whose privilege it was to grow up under its influence. The benefit which a nature so devoted as that of Clay must have derived from association with Chancellor Wythe, can with difficulty be measured. Educated at the venerable college of William and Mary, Wythe rose to be Professor of Law there himself. Among the students in his office he had taught Thomas Jefferson and John Marshall. He had aided Jefferson in revising the laws of Virginia, he had drawn the remonstrance against the Stamp Act to the British Parliament, and had secured for himself the imperishable honor of being one of the signers of the Declaration of Independence. He was a member of the Convention which framed the Constitution of the United States, and a warmest advocate of it in the State of Virginia. Coming into the Profession of the law under this illustrious teacher, Mr. Clay formed the acquaintance of Spencer Roane, of John Marshall and of Bushrod Washington, and heard Patrick Henry speak. Through Chancellor Wythe, Mr. Clay was admitted to the office of Attorney General Brooke, and one year later 1797 removed from

Richmond and established himself in Lexington, Kentucky, where there was already a generous and most interesting society, which opened its arms to receive him, and cherished him with unswerving fidelity throughout the varying scenes of his long public career. Beginning the practice of Law in Kentucky, he took position at once in the front rank at the Bar.

In common with Washington, Jefferson, Madison, Marshall, Mercer, and a number more of the first statesmen of the South, Mr. Clay thought slavery not only an evil, but a deep stain upon the character of our country, and ardently hoped for its extinction. He considered that an attempt to carry it where nature had pronounced its doom, was against good conscience, and he was an active friend to emancipation. January 29, 1850, in the debate which arose in the Senate when he presented a series of Resolutions which afterwards assumed the form of the Compromise measures of that year, he said in the course of the colloquy which took place between Jefferson Davis and himself, the former having challenged him to immediate discussion: "And now, Sir, coming from a slave State, as I do, I owe it to myself, I owe it to truth, I owe it to the subject, to say that no earthly power could induce me to vote for a specific measure for the introduction of slavery where it had not before existed, either south or north of that line. Coming as I do from a slave State, it is my solemn, deliberate and well matured determination that no power, no earthly power, shall compel me to vote for the positive introduction of slavery either south or north of that line."

Immediately on settling in Lexington, he entered actively into the canvass to elect an anti-slavery State Constitutional Convention. Whenever a slave brought suit for freedom Clay would volunteer his professional services. He got to be considered not only as the friend of the slave but also as the supporter of the cause of liberty itself. He began his political life as a Republican, and joined the National Republican Party, when it trained under the victorious banner of Jefferson. His spirit caught fire in the concussions of the time, and led him into active opposition to the alien and sedition laws. Having become partially unpopular from his anti

slavery course, his strength before the people seems to have been readily recovered in this way.

The alien law approved June 25, 1798, authorized the President at any time during its continuance to order all such aliens as he deemed dangerous, or had reasonable grounds to suspect of treasonable or secret machinations, to depart from the United States, subject, however, to the discretion of the President to license the remaining in the country of those aliens he deemed harmless. The law was to last two years. The second alien Act approved July 6, 1798, authorized the President on the breaking out of war, to enforce the apprehension, restraint and removal of any alien enemies. The Courts were empowered to enforce such removal, or to exact security for good conduct.

The sedition Act of July 14, 1798, was entitled "An Act in addition to the act, entitled 'An Act for the punishment of certain crimes against the United States,'" and provided for the punishment by fine and imprisonment of any persons combining or conspiring to oppose measures of the government, or to impede any law of the United States, or to intimidate any person engaged in doing duty as an officer of the United States. Section 2 provided, that if any one should print or publish, or utter, or aid in writing or publishing false and malicious writings against the United States, or either house, or the President, to bring them into contempt, or to excite against them the hatred of the people, or to stir up sedition, he should be fined and imprisoned not exceeding two years.

The ardor and effect with which Mr. Clay attacked these laws in public speeches were such, that he and George Nicholas, who was embarked with him in the canvass, were drawn by the people through the streets of a town in Fayette county in a carriage, and were triumphantly elected to the Legislature of Kentucky. This was A. D. 1803. In the Legislature he met the following year in debate with Felix Grundy, and defeated the effort of the latter for the repeal of the law of incorporation of an insurance company. Somewhat later in point of time, A. D. 1806, we find Mr. Clay appearing as counsel for Aaron Burr, but having become a senator in Congress, and having seen the correspondence of Burr with Swartout, he

became convinced that the people of Kentucky had been deceived by Burr, and he declined to have further relations, of any kind, with him. The election of Clay to the Senate of the United States, above referred to, was for a fraction of a term, to succeed John Adair, but limited as his time was, Mr. Clay, in his very first effort, and in an evenly divided Senate in the matter of the Potomac River Bridge, proved himself able to carry a majority with him, and to set on foot the doctrine of Internal Improvements, which some of the first Republican statesmen of the period were so curiously slow to conceive.

On the expiration of his term in the Senate, he was elected A. D. 1807 to the Legislature of Kentucky from the county of Fayette, and made Speaker of the House. He rendered in his legislative place of this time the ever memorable service in the history of the commonwealth, of saving to its civilization and civil liberties the precious jurisprudence of the Common Law. He insisted that the authorities of the period, before the division of the British Empire, were not foreign, but in point of fact belonged to different parts of the same country. A bill having been presented to prohibit the reading in court in the State of Kentucky of any British decision or elementary work of law, he offered and succeeded in securing the adoption, in spite of the prevailing resentment which the arbitrary course of England toward the United States had aroused in every true American breast, of an amendment to limit the exclusion in question to those works and judicial opinions which had appeared *since July 4, 1776*. There is an account of this famous effort by George D. Prentice. In order to make it, Mr. Clay used not only his abilities as a lawyer, but all his splendid powers as a master of persuasive speech. His hearers were held spell-bound. They gazed on the orator and listened to his moving eloquence until, as Prentice declares, they lost the sense of individual existence.

In the course of the legislative session of 1808, Mr. Clay introduced into the House a resolution for the encouragement of the industries of the country, and which required that the members of the Legislature should dress in clothing of domestic manufacture; and next year, 1809, made a report in a contested election case of the first importance. Helm, Hay-



croft and Thomas being candidates for the Legislature, Helm received 436 votes, Haycroft 350, and Thomas 271. Hardin County being entitled to two representatives, and Helm being one, the report denied a seat to Haycroft because by reason of his being a judge, under Section 26, Article 2, of the Constitution of Kentucky he was ineligible. At the same time Thomas had a seat declined him also. This was in opposition to the doctrine of the celebrated Wilkes case in England, which gave to Wilkes' opponent the seat in contest, although the latter had received a minority vote only. Mr. Clay's report rejected the claim of Thomas on the ground that the votes given Haycroft, although void in creating a right on his part, could not affect the situation of his competitor. The doctrine held by Clay was *that disqualification cannot produce qualification, and that to give the seat in contest to a minority candidate would be subversive of the great principle of free government, that the majority shall prevail.* The investigation in Thomas vs. Haycroft was made by Mr. Clay, and the report remains in the legible characters of symmetrical fineness for which his handwriting is marked. Its doctrines have ever since governed the Kentucky elections, and have decidedly the weight of greater authority in the United States over the English rule, and as I submit, fellow citizens, upon reason, as well as authority, we are entitled to add, that the American rule is by far the more creditable of the two to a free country.

On the resignation of Senator Thurston in 1807, Mr. Clay was chosen Senator of the United States for an unexpired term, and took his seat the winter of 1809-10, making his first address in favor of the encouragement of domestic manufactures—a policy as we have seen, he had previously supported in the Legislature of the State of Kentucky. There was now prospect of war with England, *and he argued for a system of manufacturing as essential to American independence.* In the year 1810 he supported the claim of the United States to the Florida Parishes of Baton Rouge and the Felicianas. President Madison having issued his proclamation declaring West Florida, annexed to the territory of Orleans, Mr. Clays' contention was, first, that the disputed territory was ours by legal transfer, as part of the Louisiana purchase of 1803. Secondly supposing that it was not, that circumstances made it

inevitable that the United States should hold it. The free navigation of the Mississippi required we should be in possession, *upon the eternal principle of self-preservation—a principle that knows no limitation of time or place and which gave the United States a right to extend its laws, over the disputed territory.* It was impossible that the commerce of the whole valley should be held at the mercy of Spain.

In the summer of 1811, having returned to Kentucky, Mr. Clay was elected a member of the House of Representatives of the United States, and on his first appearance in the House was made Speaker—the only instance on record of like advancement in Congress in the history of our country. “His first step” (said John Randolph, of Roanoke) “was from the door of the House to the Speaker’s chair.” Some forty years afterward, Randolph, borne on a litter, was carried into the Senate Chamber, a dying man. Clay was speaking. The two met for the last time, after scenes the most trying that can be pictured, in their personal intercourse. “Lift me up!” “Lift me up!” (cried Randolph) “I want to hear that voice once more!” The episode took place during the famous debate on the compromise tariff bill of 1833. As soon as Clay concluded his remarks, he left his place to extend his hand to his former enemy.

Chosen Speaker of the House in 1811, Clay continued to fill the office until he was appointed one of the plenipotentiaries to negotiate the treaty of peace with Great Britain. On his return from Europe he was immediately re-elected to the House and to be Speaker, and retained the place (except during his temporary withdrawal from Washington) down to March 3, 1825, when he became Secretary of State. He proved to be the most eminent Speaker the Congressional history of the United States has ever produced. He filled the chair with lasting honor to himself. His love of order—the sincerity of his nature—the quickness of his perceptions and his strong common sense—the impartiality and correctness, and the rapidity of his judgments—the respect he was always prepared to show the rights of others—the mingled dignity and courtesy and the fearlessness of his address—a voice so melodious, that it has remained to this day unsurpassed and probably unequalled by any that has been heard in

the capitol at Washington, and an established reputation for perfect knowledge of the difficult duties of his office, are some of the elements which occur to me, of his success in this great place. No decision of his was ever overruled, and while Speaker of the House of Representatives he was also leader of it in debate. The testimony of Horace Greeley is that he was confessedly the best presiding officer any deliberative body in America has ever known, and that none was ever more severely tried.

In 1804 Great Britain declared the French coast from Ostend to the Seine to be in a state of blockade, and in 1806 the blockade was extended from the Elbe to Brest, becoming necessarily, in part, a mere paper blockade. Napoleon answered November 21, 1806, by the Berlin Decree establishing the Continental System and designed to put a stop to trade between Great Britain and the European continent. Thereupon the British Orders in Council, of January 7 and November 11, 1807, were issued declaring the blockade of all places and ports belonging to France and her allies from which the British flag was excluded, and prohibiting commerce with those countries and their colonies, and subjecting to capture and condemnation all vessels trading with or from these, and all merchandise on board such vessels. Napoleon retaliated by means of his Milan Decree of December 17, 1807, declaring that every ship of whatever nation, and whatever the value of its cargo, sailing from the ports of England or her colonies, or of countries occupied by the English troops, and every ship which had made any voyage to England, or paid any tax to that government, or submitted to search by an English ship, should be lawful prize. These decrees and counter decrees were the instruments by which the commerce of neutrals was destroyed. Great Britain would not resign her maritime commerce to build up a commercial marine sailing under a neutral flag. She would tolerate no trading except it went through her hands, or through British ports, where a transit duty was levied for the treasury. Napoleon on his part desired to constrain neutrals, and especially the United States, to become his allies. There must be no neutrals, or at least neutrals must have no rights.

For a time after 1803 nearly the whole carrying trade of Europe was done by American vessels. The condition of affairs is well delineated in the History of McMaster. The merchant flag of every belligerent, except England vanished from the ocean. It was under the American flag that the gum trade was carried on with Senegal, the sugar trade with Cuba, that coffee was exported from Caracaeas, and hides and Indigo from South America. Great fleets of American merchantmen sailed from Vera Cruz, from Carthagena, from La Plata, from the French colonies in the Antilles, from Cayenne, from Dutch Guiana, from the Isles of France and Reunion, from Batavia and Manila to the United States. They filled the warehouses of Cadiz and Antwerp to overflowing. They glutted the markets of Embden and Lisbon, Hamburg and Copenhagen with the products of the West Indies and the fabrics of the East, and bringing back the products of the looms and forges of Germany to the New World, drove out the manufacturers of Yorkshire, Manchester and Birmingham. This was the splendid trade, which Great Britain marked out for annihilation and proceeded to destroy, by paper blockades and by the decisions of her Admiralty Courts.

British men of war claiming to enforce the doctrine of indefeasible allegiance stopped American vessels to search them not only on the high seas but in American waters, and mercilessly impressed American sailors into the naval service of Great Britain. It resulted that naturalization by the United States was worthless. In the summer of 1807, the American frigate Chesapeake was followed out of the harbor of Norfolk by the British man of war Leopard, and under pretext of putting despatches on board of the American vessel for Europe, a demand made upon her for deserters. Commodore Barron refusing to permit a search, but having a single gun only in readiness, the Englishman fired a broadside, killing and wounding a number of the Chesapeake's crew and forcing a surrender. This outrage, it is said, incited America to action, as no event since the battle of Lexington, had done.

Compelled to act, President Jefferson issued his proclamation forbidding all British ships of war to remain in American

waters. There followed in 1807 an extra session of Congress, and an embargo which prevented American vessels from leaving ports of the United States in the hope to punish, in this way, England and France. But the experience of a few months showed that the embargo failed altogether to secure the purpose had in view. It proved full of calamity to ourselves. Adams' History treats of the effects of this measure. As the order enforcing it was carried along the sea coast "every artisan dropped his tools, every merchant closed his doors, every ship was dismantled." It fell upon New England with crushing effect. New York looked as if ravaged by pestilence. Not a box, bale, cask or barrel, or package, was seen upon the wharves. But the true burden of this restraint upon trade was cast upon the Southern States, and especially upon the devoted State of Virginia, which "with astounding rapidity succumbed to ruin." March 1, 1809, the embargo was repealed and a non-intercourse act—a law which, instead of universal prohibition of trade, merely prohibited commerce with Great Britain, and the countries under French control, substituted in its place. The non-intercourse act was almost the last signed by Jefferson as President, and his second administration closed in a state of political confusion.

The non-intercourse act empowered the President to suspend the prohibition in question as to either Great Britain or France, as soon as one or the other should desist from violating neutral rights. The Orders in Council being supposed to have been withdrawn, under an agreement between Mr. Erskine, the British Minister, and the Secretary of State, non-intercourse was suspended by President Madison, and foreign trade sprang at once into excessive activity. But Mr. Erskine having been disavowed, and replaced by Mr. Jackson, non-intercourse was resumed under a proclamation by President Madison, of August 9, 1809. The British government yielded, seemingly, to the United States, by the adoption of new Orders in Council which set aside the stringent provisions of the orders of 1807, but substituted a paper blockade of all ports and places under the government of France. Congress, therefore, May 1, 1810, provided for commercial non-intercourse to cease, and for the exclusion from

American waters of armed ships only, and *if the obnoxious orders and decrees involved should be recalled*, for proclamation of the fact by the President.

The conduct of France furnished no less occasion for complaint than the course of Great Britain. The representations of the American minister, General Armstrong, instead of procuring relief were followed by the Rambouillet decree of May, 1810, which ordered the sale of American ships and cargoes under seizure, and the confiscation of American vessels entering ports subject to French jurisdiction. This measure not having the desired effect of putting an end to the forbidden trade followed in American vessels between England and the continent, France gave notice that the Berlin and Milan Decrees were revoked and would cease *if England would revoke her Orders in Council*. The British being advised, said, September 29, that they would rescind their orders in Council *when the French revocation actually took effect*.

President Madison assumed that the French measures had been revoked, and so announced November 1, 1810. The armed ships of France were no longer to be denied entrance to American ports, and February 2, 1811, commercial intercourse was once more suspended with Great Britain. In May the British Court of Admiralty decided that there was no evidence of the withdrawal of the Berlin and Milan decrees. The practical result was to put an end to all hopes of an amicable adjustment of difficulties with Great Britain. Commerce was permanently suspended and negotiations were exhausted. Further provocation for war was given by the capture off Sandy Hook of an American vessel, by some fresh cases of search and impressment, and by an encounter between the British sloop of war Little Belt and the American frigate President. Over nine hundred American ships had been seized by the British and more than five hundred and fifty by the French. More than 6000 American citizens were impressed as British seamen, or kept in prison if they refused to serve. The American government was treated with disdain.

Such was the situation when Henry Clay entered the House of Representatives, and with the co-operation of Monroe in the cabinet, led the country into the war of 1812. His exertions were indefatigable. Day after day his inspiring

eloquence stirred the courage of his countrymen, and renewed the struggle for a declaration of hostilities. When the difficulties which the British had to meet were urged, he rejected suggestion of them with scorn. When he was asked, what what are we to gain by war, his reply was, "What are we not to lose by peace? Commerce, character, a nation's best treasure, Honor." There were undoubtedly desertions from the British service to the American merchant marine, to the extent of injuring the efficiency of the former. The language spoken by the seamen of the two nations was the same. The British insisted that the measures they resorted to were only those of self-protection. When the captain of a British frigate overhauled an American merchantman for enemy's property or contraband of war, he sent an officer on board who mustered the crew and took out every seaman he believed to be British. How was he to do otherwise under his orders? How, Mr. Clay was asked in debate on the floor, could the British officer determine in any other manner the identity of his own countrymen. The answer given by Clay sounded like a trumpet call to arms in the House, and was echoed everywhere throughout an aroused and indignant country. "If "Great Britain," exclaimed the Kentucky statesman, "desires "a mark, by which she can know her own subjects, let her give "them an earmark. The colors that float from the mast-head "should be the credentials of our seamen!" He maintained that an honorable peace could only be attained by an efficient war, and rallied to his support the young Republican leaders of the time in the House, John C. Calhoun, William Lowndes, Felix Grundy, Langdon Cheves and others, who, like himself, believed that if the American Republic was to maintain anything like the dignity of an independent power, *it must cease to submit to humiliation; and in order to preserve the respect of mankind must fight when wronged or insulted.* A galaxy of able and eminent men adorned the councils of the House at this time. Clay's plan was to call out the resources of the country and negotiate peace at Quebec or Halifax. He said: "We must come out crowned with "success, but if we fail, let us fail like men; lash ourselves "to our gallant tars and expire in one common struggle, "fighting for free trade and seamen's rights." His defiance

of England rings with the same high spirit as the reply to the insult of France, received by the Commissioners sent by the first President Adams, when they were told that they could buy satisfaction of the just claims of their fellow-countrymen, and save American ships from further outrage by the French, if they would give a bribe to Talleyrand. "*Millions for defense,*" said Charles Cotesworth Pinckney, uttering the resolution of a whole people; "*Not a cent for tribute!*"

Writers on Public Law, in order to distinguish it, from the War of the Revolution, treat the War of 1812 as the War of American Independence. It was a short war, but a necessary and very important one. It taught the country the necessity for a national currency having the same value in all places. The protection of American industry independently of revenue, or as a distinct object in itself, grew out of the state of affairs brought on by the war, during which the want of things required for national defence and essential to individual comfort had been cruelly felt. The question of internal improvements also assumed new proportions owing to the want of facilities for transportation experienced in the military operations of the United States, and the limits of the treaty making power as between the President and Senate on the one hand, and Congress, including the House of Representatives, on the other, called for and received further examination.

With all of these issues as they came on, the public services of Mr. Clay were intimately connected, as they also were with the question of slavery which began to be agitated 1819-20 on the admission of the State of Missouri into the Union. Some difficulties grew out of the war or followed rapidly upon its close, but it brought great benefits with it. It elevated the national character before the world. It forced Great Britain to abandon the impressment of our seamen. It caused the national flag to be respected and advanced. Notwithstanding its changing fortunes and some disasters, especially in the beginning of the contest, it was fought with intrepidity by the Americans, both on sea and land, and ended gloriously with the victory of General Jackson, at New Orleans. The war was a just one made for the rights, and the independence of the United States. It is the theme



of a proud chapter in the history of the Republic. Honor to whom honor is due. Let us render it, then, to the names of Henry Clay and of James Monroe, for except for their devoted exertions a declaration of war would not have been obtained.\*

Having been appointed one of the commissioners to treat for peace, Mr. Clay repaired with his colleagues, Mr. Adams, Mr. Gallatin, Mr. Bayard and Mr. Russell, to Ghent. The position of the United States, owing to the acquisition of Louisiana, had become very different from what it was at the time of the treaty of September 3, 1783.† On motion that the navigation of the Mississippi should be offered to England in exchange for the fisheries, Adams, Gallatin and Bayard voted in the affirmative, but Clay and Russell in the negative. Bayard afterwards joined the minority, and the proposition was defeated.

Mr. Clay's knowledge of the situation was thorough and he met it resourcefully. He never surrendered hope in the future of the United States. He had the intuition of the true statesman. He insisted that application of general principles to the questions at issue would afford the solution required, and secure for his country real independence with complete sovereignty over the American empire, freed forever from British interference. He met the trying difficulties of the situation with judgment and with unwavering spirit. Representing the majority, he contended upon considerations that are clearly correct—that the fisheries had been already recognized, because the treaty of 1783 made a division between the United States and Great Britain that was perpetual, being on the principle of the partition of an empire. It followed that no further stipulation was required. A second attempt was made by the representatives of Great Britain to obtain the right of free navigation of the Mississippi, but was abandoned. It was concluded, finally, to abstain from inserting any article in the treaty in respect either to the fisheries or the Mississippi. Nor was anything said relative to impressment, but that was never attempted again by Great Britain.

\* Benton's Thirty Years.

† The preliminary treaty was signed November 30, 1782.

The treaty of Ghent concluded the war between the two countries on the 24th of December, 1814. It was, all things being taken into account, truly a creditable treaty to the United States, although far better terms would undoubtedly have been obtained had it been delayed, and the contracting parties been informed of the signal victory which crowned the American arms at New Orleans under General Jackson.

Returning in 1816 from Europe, Mr. Clay was elected to Congress, and instructed by the experience of the country during the recent war, took position in favor of a Bank of the United States, frankly avowing a change from the views he had held on the subject in 1811. Somewhat later A. D. 1818 he moved to insert in the appropriation bill before the House a provision appropriating \$18,000 for the outfit of a minister to be sent from the United States to the independent provinces of the River La Plata in South America. In taking this step he assigned for it the highest considerations of national statesmanship, first on the principle consecrated in reason and in history, *that an oppressed people are authorized to rise whenever they can against their masters, and, secondly, because we had a deep interest involving our commerce and navigation and our politics, in recognizing the South American States as independent nations.* He was defeated in the beginning, but had the satisfaction afterward, 1820, to secure the recognition of the South American States; and in 1824, to support upon views at least in part the same, the Resolution of Daniel Webster for the recognition of Grecian independence. In the masterly address of Mr. Webster on the Panama mission, delivered in the House of Representatives, April 14th, 1826, departing from his custom not to speak of individuals he warmly repelled the attacks made on Mr. Clay's course as that of a visionary enthusiast with reference to South America.

“If sir,” said Mr. Webster, “it be true that that gentleman (Mr. Clay) prompted by an ardent love of civil liberty, felt earlier than others a proper sympathy for the struggling colonies of South America; or that acting on the maxim that Revolutions do not go backward, he had the

“sagacity to foresee earlier than others, the successful termination of those struggles; if thus feeling, and thus perceiving, it fell to him to lead the willing or unwilling counsels of his country, in her manifestations of kindness to the new governments, and in her seasonable recognition of their independence—if it be this which the honorable member imputes to him, if it be by this course of public conduct that he has identified his name with the cause of South American liberty, he ought to be esteemed one of the most fortunate men of the age. If all this be as now represented, he has acquired fame enough. It is enough for any man thus to have connected himself with the greatest events of the age in which he lives, and to have been foremost in measures which reflect high honor on his country, in the judgment of mankind.”

President Monroe in his annual message, December 2, 1823, announced the doctrine which has come to bear his name and which consists of two parts, the first being that the American continents are not to be considered as subjects for European colonization; the second, that we will not view, except as a manifestation of an unfriendly disposition to the United States, any interposition by any European power, to oppress, or to reduce to control the governments, on this side of the Atlantic, which have declared their independence and maintained it, and whose independence we have acknowledged.

A resolution was offered soon afterwards, by Mr. Clay which virtually repeats the second portion of the Monroe doctrine. It declared, “that the American people would not see without serious inquietude any forcible interposition of the allied powers of Europe in behalf of Spain, to reduce to their former subjection those parts of America which have proclaimed and established for themselves, respectively, independent governments, and which have been solemnly recognized by the United States.” His speeches were translated into Spanish and read at the head of the armies of the South American patriots to incite them to battle. The ode of the Poet Whittier to Henry Clay celebrates his speeches for the Greeks:

"The Grecian as he feeds his flocks  
 " In Tempe's vale, on Morea's rocks.  
 " Or where the gleam of bright blue waters  
 " Is caught by Scio's white armed daughters,  
 " While dwelling on the dubious strife,  
 " Which ushered in his nation's life,  
 " Shall mingle in his grateful lay,  
 " Bozzaris with the name of Clay!"\*

When President Monroe, in his first message to Congress of December 1, 1817, referring to the veto by his predecessor in office, Mr. Madison, of the act concerning a fund for internal improvements, declared his own settled conviction that Congress did not possess the right of constructing roads and canals, Mr. Clay made known the constitutional views which brought him to support a policy in favor of internal improvements, and as he urged, on repeated occasions his opinions with all the ardor of which he was capable, I venture to place them very briefly before you in a general way as those of the foremost champion of this policy. He found the power in question in the largest considerations of the public welfare. *It was neither more nor less than that of diffusing happiness, intelligence and affluence throughout the nation.* All the powers of government, he argued, should be interpreted in reference to its first, its best, its greatest object, *the union of the States.* Under the constitution, according to his view, government could exercise any power which was either expressly granted by that instrument or impliable from an express grant. This is the doctrine also of the great Chief Justice in the case of McCulloch vs. the State of Maryland, 4th Wh. 316, A. D. 1819, who acting as the organ of the Supreme Court in the case cited, decided that the word

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\* The first stanza of the ode to Clay above quoted, refers to the slander that there was a corrupt coalition between John Quincy Adams and Clay, by which, in return for Clay's support of Adams, the latter was elected over Jackson to the Presidency, by the House of Representatives, in 1825, and the office of Secretary of State given to Clay:

" Ay—stand erect! the cloud is broken—  
 " Above thee bends the rainbow's token!  
 " The shadow of thy onward way  
 " Is blending into perfect day;  
 " The slanders of the venal train  
 " Assail thy honest name in vain;  
 " For thou wilt be as thou hast been,  
 " The hope of free and patriot men!"

—Sargent's Clay, Ed. by Greeley.

*necessary* in the Constitution, as in the common affairs of the world, frequently imports no more than that one thing is convenient or useful, or essential, to another, and that the national legislature must be allowed to have that discretion with regard to the means by which the powers it confers are to be carried into effect which will enable that body to perform the high duties assigned to it in the manner most beneficial to the people. The language of Chief Justice Marshall is: "Let the end be legitimate, let it be within the scope of the constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consist with the letter and spirit of the constitution, are constitutional." The opinions of Mr. Clay found before long the highest sanction in the adoption of them by John Quincy Adams, then become President. According to Mr. Adams, the great object of the constitution of civil government is the improvement of those who are parties to the social compact. Referring to powers given in the Constitution, he said: "If these powers may be effectually brought into action by laws promoting the improvement of agriculture, commerce, and manufactures, the cultivation of the mechanic and of the elegant arts, the advancement of literature, and the progress of the sciences, ornamental and profound, to refrain from exercising them for the benefit of the people themselves would be to hide in the earth the talent committed to our charge,— would be treachery to the most sacred of trusts."

Jefferson, Madison and Monroe thought that there was no warrant in the Constitution for carrying out a policy of internal improvements, such as has become at this day the familiar practice of the government at every session of Congress. I happen to have in my possession a letter of Jefferson, written to Edward Livingston when the latter had, as Senator in Congress from the State of Louisiana, made an elaborate speech in favor of internal improvements. Mr. Jefferson's letter is practically a protest against the course taken by Mr. Livingston, and an appeal to him as a member of the Republican party of the time, to return to the true policy of the party. Down to a comparatively late period in its history, the Democratic party refused its approval to a

system of internal improvements. Mr. Clay was wise, and, as I submit, very far-seeing. He was greatly in advance on this subject, not only of the Democratic party, but of many of the first Republican statesmen of his time. Now that the resources of the country have been developed by the application to them of his enlightened and liberal views, and that they are universally accepted as indispensable to commerce and navigation, and to the increase of national wealth, we are left only to wonder at the opposition they encountered. He contended against the position taken by Monroe, and held, that in the power to establish post roads conferred by the Constitution on Congress, there is included the power to build roads and to keep them in repair. The power to regulate commerce, he rightfully claimed, implies the authority to foster it.

According to his high authority, the power to make all needful rules and regulations respecting the territory and other property of the United States, conveys the power to Congress to legislate for the territories. All who have had occasion to look into the treaty making power, and into the possible extent to which it may be carried, *know that it is unlimited in its nature, except so far as any limitations may be found in the Constitution of the United States. The power of acquisition by treaty carries with it the power to govern all the territory acquired.*

It is especially interesting to us, Fellow Citizens, at this particular juncture, to take notice in presence of the vast interest New Orleans has in the building of the Nicaragua Canal that Mr. Clay contended, that the government derived the right to make canals from its authority to declare and prosecute war, and that it derived the same right from its authority to regulate commerce. "Congress," said he, "has power to regulate commerce with foreign nations and among the several States. Precisely the same measure of power which is granted in one case, is conferred in the other." "Sir:" (he exclaimed) "It is a subject of peculiar delight to me to look forward to the proud and happy period, distant as it may be, when circulation and association between the Atlantic and Pacific shall be as free and perfect as they are at this moment in England, and, in

“ any other, the most highly improved country on the globe.  
 “ Sir, a new world has come into being since the Constitution  
 “ was adopted. Are the narrow limited necessities of the old  
 “ thirteen States as they existed at the formation of the  
 “ Constitution, forever to remain a rule of its interpretation?  
 “ Are we to neglect and refuse the redemption of that vast  
 “ wilderness which once stretched beyond the Alleghany? I  
 “ hope for better and nobler things.”

Let us, as well as we can in a moment of time, take up these broad and statesmanlike views of Henry Clay, replete as they are with all imaginable love of country, and apply them to the conditions of the present day. In the course of the proud and stupendous progress of the Republic, application of the Monroe doctrine has come to be yielded to by the foremost nations of Europe. Cuba and Porto Rico have been set free from the yoke of the Spaniard, and Cuba and other islands of the West Indies, as well as Porto Rico, are evidently to be American territory. The Sandwich Islands and the Philippine Archipelago are already within reach of the blessings of knowledge, of science and the arts, as well as of civil government, and through the open door to the East, a commerce the most alluring that has ever been dreamed of, is about to pour its way to the American shores, under the protection of a powerful navy manned by the best and bravest seamen the world has ever seen, able to hold distant as well as the neighboring seas, and carrying the flag of the United States at the masthead to every part of the circumnavigable globe. Are we, I ask, to turn away from and to reject such a prospect as this? I answer the question in the words of Henry Clay just quoted. I would re-echo those words now, and, if I could, have them heard everywhere. I, too, fellow-citizens, fervently hope for better and nobler things!

A petition for the admission of Missouri as a State was presented in the House of Representatives March 6, 1818, and a bill authorizing the people of Missouri to form a State government was taken up in that body February 13, 1819. The agitating and dangerous question of slavery was therefore introduced, and the struggle it provoked lasted intermittently, until March, 1821. Pending the bill an amendment was proposed by Mr. Tallmadge, a representative from New York,

providing that the further introduction of slavery should be prohibited, and that all children born within the State should be free at the age of twenty-five years. In the House the bill with the amendment passed, but the amendment was stricken out in the Senate, and the houses severally adhering to their opinion, the bill was defeated. On the renewal of the discussion at the next session, the debate was even more angry than at first. At last by means of conference the following compromise was brought about:

Missouri was received into the Union without restriction, and by the 8th section of the act admitting her it was provided, "that in all that territory ceded by France to the United States, under the name of Louisiana, which lies north of thirty-six degrees and thirty minutes, north latitude, not included within the limits of the State contemplated by this act, slavery and involuntary servitude, otherwise than in the punishment of crimes, whereof the parties shall have been duly convicted, shall be, and is hereby forever prohibited: *Provided always*, that any person escaping into the same from whom labor or service is lawfully claimed, in any State or territory of the United States, such fugitive may be lawfully reclaimed, and conveyed to the person claiming his or her labor or service as aforesaid."

The act here cited did not absolutely admit Missouri, but only authorized her to form a constitution not repugnant to the Constitution of the United States, and directed that the State Constitution should be transmitted to Congress. A final resolution would then be necessary for the admission of Missouri. A. D. 1820, the people of the Territory of Missouri ordained a constitution, with the following (26th section, 3d article), that it should be the duty of the General Assembly, "as soon as might be, to pass such laws as were necessary to prevent free negroes and mulattoes from coming to and settling in the State on any pretext whatever." The proposed restriction renewed the agitation, and the contention became so fierce as to imperil most seriously the public safety.

In May, 1820, at the close of the session, Mr. Clay, having suffered severe losses as endorser for a friend, announced his temporary withdrawal from attendance upon Congress. He returned to Kentucky to repair his fortunes by the practice of



law, and November 20 resigned the office of Speaker, although he retained his membership in the House.

The Constitution provides that "the citizens of each State shall be entitled to all the privileges and immunities of citizens of the several States." Mr. Clay returning to Washington January 16, 1821, in view of the Constitution, moved for the appointment of a committee of thirteen, and reported a resolution to admit Missouri "on an equal footing with the original States in all respects whatever, upon the fundamental condition that the said State shall never pass any law preventing any description of persons from coming to and settling in the said State who now are, or hereafter may become citizens of any of the States of this Union." The resolution provided further, that as soon as the Legislature of Missouri should, by solemn public act, have declared the assent of the State to this provision, the President should by proclamation announce the fact, whereupon the admission of the State should be considered complete. The report on being taken up was lost in the House of Representatives by a vote of 83 to 80. The following day February 13 a scene of tumult and confusion arose, when the vote for President and Vice President was counted on the issue whether or not the vote of Missouri should be enumerated. The rejection of the report of Mr. Clay's committee of thirteen created a profound sensation. Scenes of anarchy and of bloodshed appeared to be very close.

February 22, 1821, Clay moved for a committee of twenty-three to correspond with the number of States, to take up the question at issue afresh, and the motion was adopted. Finally a resolution was agreed to and passed, not varying materially from that to which I have referred. The President issued his proclamation and the State was admitted. The public announcement was received with bursts of rejoicing. The bells rang. Cannon were fired, and there was every demonstration of exultation and joy throughout the whole land. Clay was hailed the savior of his country—the pacificator of ten millions of people. It was generally admitted that the result was mainly due to his influence—to his expostulations and persuasion with members—to his sincerity and anxious

entreaties—to his zeal and perseverance, and to the warmth and eloquence of the personal appeals which he urged.

John J. Crittenden, speaking of the achievement, said that “it was the greatest civil triumph ever achieved by mortal man.” Only a short time before the accomplishment of the settlement, Mr. Jefferson wrote from Monticello: “The Missouri question is the most portentous one that ever threatened the Union. In the gloomiest moments of the Revolutionary War, I never had any apprehension equal to that I feel from this source.” John Quincy Adams approved the Compromise as all that could be effected under the Constitution, and from extreme unwillingness to put the Union at hazard. He wrote in his diary that one of “the greatest results of this conflict of three sessions” was “to bring into full display the talents and resources and influence of Mr. Clay.” The biography of Clay, which Carl Schurz has offered as a contribution to American political literature, appropriately observes, that Clay was always the most conspicuous figure whenever he appeared in a parliamentary contest, and in this instance that he impressed himself on the popular mind as the leading actor in the drama.

On the conclusion of the war with England, Mr. Clay advocated a protective policy. Most of the Federalists opposed it, while Calhoun, Lowndes, and other Southern men supported it. A tremendous importation of English goods flooded the country, and American industry, which had been artificially developed during the contest, now called for governmental aid, but the principal argument which Mr. Clay urged, and which the Republicans accepted, was *that certain manufacturing industries must be built up and sustained for the security of the country in time of war*. It was in this way that the tariff of 1816 came to be adopted, but it failed to prevent the reaction which had been apprehended on the return of peace, and after an ineffectual attempt for a general revision of duties in order to reach higher duties, in January, 1824, Mr. Clay brought forward, under the name of the American System, the tariff bill of that year, and supported it in an elaborate address of the first order of ability.

When it was objected that the American system would operate unequally; that the South being a planting and

agricultural community, could not engage in manufacturing, *he replied that the obstacles were imaginary; that the South could manufacture; but supposing the case to be otherwise, that the South had no right to claim that the policy of the Union should be established in sole reference to the condition of the blacks—that the whole country should become the slave of the slaves.* Besides, ultimately, if the South did not manufacture, it would be able to purchase for its wants at home, at a greatly diminished price. To the objection that the tariff would diminish our navigation Mr. Clay answered, that if he was correct, in supposing that our industry would produce new objects of exportation, our navigation would receive additional encouragement. Even if our navigation did suffer temporary depression, the increase of the coasting trade would bring us more than a compensation. He denied that the American system would force capital into new and reluctant employments. At any rate, manual labor is but a trifling consideration in the manufacturing arts. Almost everything is now done by machinery. The circumstances most favorable for success in manufacturing are capital and raw material, ingenuity in the construction of machinery and adroitness in the application of it. Our citizens being deficient in no one of these, with proper protection would have complete success. Mr. Clay refuted the argument that manufactures would spring up unaided. This could not be and never has been where they are brought in contact with protected manufactures.

To those who said that in adopting protection we only put on the cast-off habiliments of other nations, he said no nation having once secured the benefits of the restrictive system had given them up. The visionary speculations of theoretical writers whenever adopted had brought poverty with them. Great Britain had protected not only all her vast dominions, but the parent country against the colonies. Supposing, however, Great Britain should abolish all restrictions upon trade we ought by no means to follow her example, because, by reason of the perfection of her arts, in case of free trade, every American manufacturer would become a bankrupt. To the suggestion that the tariff is unconstitutional, he answered this is a fresh discovery. The Constitution authorizes

Congress to regulate commerce with foreign nations. Under this clause we had already passed embargoes, laws of total non-intercourse effecting an entire cessation with all the nations of the earth. The American system proposed that while imports should be mainly, and under modifications might safely be relied on as a fit and convenient source of Revenue, the duties on foreign fabrics should be so adjusted and arranged as to give gradual protection to American industry, securing ultimately a cheaper supply from our own abundant resources, while lessening, meanwhile, our dependence on foreign nations. *Mr. Clay insisted at different times that no one at the commencement of the protective policy supposed that it was to be perpetual. We hoped and believed that temporary protection extended to our infant manufactories would bring them up, and enable them to withstand competition with those of Europe.*

The speech of Mr. Clay of the year 1824, on the tariff, is by far the best sustained and the strongest argument I have seen in favor of the doctrine of protection. No student of American politics can afford to remain unacquainted with it. It was stated to me by John Randolph Tucker, a distinguished Representative in Congress from the State of Virginia, (who, according to the testimony of the late Samuel J. Tilden, of New York, had himself contributed most valuable information to the discussion on the tariff in the House, which culminated in the election to the Speakership of John Griffin Carlisle of Kentucky), that while the more recent debaters had had later statistics, they had been able to add nothing to the ability with which the arguments of the time of Clay had been conducted. Mr. Tucker's statement is the more remarkable, as well as valuable, because of his championship of the principles of free trade.\* A Democratic majority in the House followed the eminent leadership of Carlisle, Morrison, Tucker and others of their opinion. It seems to me proper to add that

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\* John Bach McMaster, in his article on Daniel Webster in the Century Magazine for June, 1901, says:

“More than three-quarters of a century have passed since that day, yet the respective merits of free trade and protection are as far as ever from settlement, and still furnish plentiful material for campaigns of education. Nevertheless it must be admitted that the principle and policy of protective tariffs have never been better stated than in the brilliant speech by Clay, nor more forcibly combated than they were in the vigorous reasoning of Webster.”

I never was able to do so. The statesmen from Virginia were not of the constitutional school of John Marshall. Those of Kentucky were in arms against the American system of Henry Clay. I expect to recall always with pleasure a conversation between Mr. Carlisle and another Representative in Congress, on the floor of the House, at which I was present. The name of Clay was brought in question. Mr. Carlisle closed the subject in a way which allowed of no rejoinder. "Mr. Clay," said the then Speaker of the House with reverence of manner as well as of words which did him honor, "*was a very great man;*" and so, fellow-citizens, he was, and so he will be always thought of by everyone whose opinion is entitled to any weight.

The tariff of 1828 is known in American history as the "tariff of abominations." It was adopted during the administration of John Quincy Adams, when Mr. Clay had become Secretary of State and there was an anti-administration majority in the House. The act gave great dissatisfaction in the planting States. They complained that they had to bear all the burdens and received none of benefits of the act. A great commotion arose in South Carolina against the tariff, and led the way to Nullification, the theory of which was that any single State had the right to declare a law of the United States unconstitutional, void and not binding. It was argued in support of the proposition, against the principles of human nature and the history of States, that if the right of nullification were recognized a good understanding would be promoted, because the majority listening to reason, there would result only a suspension of the offensive law until the mistake of the majority was rectified. Otherwise the State aggrieved should have the constitutional Right of Secession.

Daniel Webster's speech in answer to Robert Young Hayne, who stood for the position of the nullifiers, was, as Mr. Clay testified, "a noble triumph." Such a speech would have been great in any age, in any country, and in any deliberative body of statesmen that the world has seen, and with other speeches by Webster, earned rank for him with the first orators of history—with Demosthenes and Cicero, Chatham and Burke. Edward Everett, speaking of the reply to Hayne, said, that it placed before him more completely than

any other address he had ever heard his conception of Demosthenes when he delivered the oration for the crown. Rufus Choate, referring to the celebrated effort of Webster before a jury on the trial of John Francis Knapp, made in the same year with his reply to Hayne in the Senate, observed that he could not help considering it a more difficult and higher effort of the mind than the Oration for the Crown.

The speech of Daniel Webster on Foot's Resolutions in reply to Senator Hayne, of South Carolina, was made in the Senate January 26 and 27, 1830. On the ensuing 13th of April, on the occasion of the celebration in Washington, by a banquet of Jefferson's birthday, when General Jackson was called upon for a toast, he gave the sentiment which has become historical, and which is engraved on the pedestal of Mills' equestrian statue in Jackson Square, in the city of New Orleans: "*Our Federal Union; it must be preserved.*" John C. Calhoun had not yet disclosed his position on Nullification, but owing to the feeling which had been spreading ever since Webster's address, the toast of the President was received as *the announcement by him of a plot against the Union, and as a summons to the people to come to the rescue.* It electrified the country. On the relation of a learned and accomplished friend of my early life, Henry D. Gilpin, who was Attorney General in the cabinet of Mr. Van Buren, I am able to state that the sentiment referred to came from the latter. "General," said Mr. Van Buren, as he offered the suggestion, "you ought to give some such sentiment as this." It came to pass when General Jackson actually did so, *that it fell according to the testimony of Benton, like a thunderbolt upon the conspirators.*

In 1831 and 1832, Mr. Calhoun published addresses urging on South Carolina an immediate issue on account of the oppressive tariff legislation referred to. The legislature was convened October 22, 1832, to consider the usurpations of the General Government, and a convention was called. The convention assembled November 19th, and adopted an ordinance declaring the tariff Act of 1823 and the amendment of 1832 null and void, and that it should be unlawful to enforce the payment of duties thereunder in the State, and that it should be the duty of the Legislature to make laws giving effect to the ordinance, and, if the Government should

attempt the enforcement of the law, the State would secede. The law was to go into effect February 1, 1833.

November 19 the Legislature met and passed appropriate legislation. Preparation was made for a conflict of arms. December 10 ensuing, there appeared the famous proclamation of General Jackson announcing the attitude of the Government and its determination to enforce at all hazards the laws of the United States. It is an elaborate paper of finest excellence, in both form and matter, in every way worthy of a lawgiver and jurist who was an ornament to the entire bar of the country. It is now well known that it was written by Edward Livingston, who had resigned his seat as a Senator from the State of Louisiana, to become Secretary of State. It may not be uninteresting to those who are good enough to listen to me here to-day to say, that the original of the proclamation in the handwriting of the author is in my possession, and also a letter addressed to him by the President, in which the latter makes some brief suggestions advising the Secretary that the bearer of his note, Andrew Jackson Donelson, awaited the last sheets of the proclamation, and requesting Mr. Livingston "to give it his loftiest flight!" It assumed the position that the Constitution forms a government, operating directly on the citizen and intended to be everlasting, and not a mere league of States; and established, as I believe, by an argument of unanswerable strength, that the Constitution does not contain the flagrant absurdity of giving a power to make laws, and at the same time another power to resist them. The proclamation spoke for the President to his misguided fellow-citizens of South Carolina, in the affecting language of a father. He appealed to them by the memory of their revolutionary ancestors, to retrace their steps, to reassemble their convention, and to call upon it to repeal its disorganizing edict. He solemnly warned them that resistance to the national authority would be met by recourse to force.

When in December 1834 the United States were confronted with the danger of a war with France, owing to the refusal of the latter country to discharge the American claims for the depredations committed by the French upon American shipping, Mr. Livingston left the Department of State, and,

appointed and confirmed minister to France, whither he was sent in the ship of the line Delaware, conducted to the admiration of his countrymen the difficult negotiations, which reached a diplomatic rupture when his passports were tendered him and the French minister was at the same time withdrawn from Washington.

The services of Mr. Clay were most instrumental in preserving peace at home and afterwards abroad in both of the important emergencies I have just mentioned.

The proclamation of Jackson was received by the nullifiers with defiance. Calhoun resigned the Vice Presidency and entered the Senate to advocate nullification. The President called for strong measures, and the Force Bill was passed.

Taking the field again as the Champion of Compromise, Mr. Clay procured simultaneously with the passage of this bill, a measure for the gradual reduction of the tariff, until 1842, when it was to stand at 20 per cent. as a horizontal list with a large free list. South Carolina repealed her nullification ordinance. Clay contended that the Force Bill and the Bill of Peace should go together for the good of the country: the first to demonstrate the power and the disposition to vindicate the authority and supremacy of the Union, the second, to offer that which accepted in the proper fraternal spirit in which it was tendered, would supersede the necessity of the employment of force. When charged with being ambitious his answer to his accusers was, "I have ambition. But it is the ambition of being the humble instrument in the hands of Providence to reconcile a divided people, once more to revive concord and harmony in a distracted land—the pleasing ambition of contemplating the glorious spectacle of a free, united, prosperous and fraternal people."

The bill of Mr. Clay passed. The country welcomed it with great favor. He had won a second time the title of Pacificator. Senator Benton says that the legislation was received as a deliverance, and the estimable authors of it greeted as benefactors and their work declared by legislatures to be sacred and inviolable, and every citizen doomed to political outlawry that did not give in his adhesion and bind himself to the perfecting of the act.



Addressing himself to the task of adjusting the difficulty with France, Mr. Clay was enabled through the wisdom and moderation of his report, made in the important place of chairman of the Committee on Foreign Affairs in the Senate, to avert the threatened calamity of a foreign war.

The treaty of July 4, 1831, promised to pay the United States \$5,000,000 in six installments, but on a draft being drawn upon France, payment was refused because there had been no appropriation made by the Chambers. Mr. Livingston having duly reported a confidential intimation he had received from the King of France that an earnest passage in the message of the President might secure payment, General Jackson actually proceeded to recommend reprisals. The French exclaimed against this as a threat which made it impossible for France to pay without dishonor and it became necessary to do something to keep open friendly negotiations. This was accomplished by reference to the Committee on Foreign Relations of which Clay was chairman. Mr. Clay's report pointed out that the President had suggested reprisals in the alternative only in his annual message of December, 1834, that in case provision for payment should not be made at the next session of the French Chambers. He insisted that while the President and the whole people of the United States stood together, and the indemnity was due, it behooved our Government not to anticipate breach by France of her solemn engagements and to treat her with confidence. It was unanimously resolved, in consequence, by the Senate, January 14, 1835, that any legislation at that time, was inexpedient. The government of England having intervened to tender its offices as a mediator, France retreated from her original demand for satisfactory explanations of the President's message of 1834, by making the declaration that Jackson's annual message of 1835 (which was addressed to the American Congress only, and in which he had said that he had never used menace) was a sufficient disclaimer. The money was paid, and the incident closed with increase to the popularity of Jackson; but Mr. Clay's report unquestionably contributed largely to the success of the United States.

Mr. Clay spoke against the British outrage in the case of the *Caroline* which arose in 1837. He advised cautious pro-

ceedings to avoid war with England when the matter of a territorial government for Oregon was in question. He counseled moderation in the matter of the American claim against Mexico. He supported a bill against dueling in the District of Columbia. He showed himself a friend to the right of petition, and while opposed to slavery a supporter of the rights of the States as established by the fathers. The candid enquirer will find no difficulty in understanding his political faith. He said: "I am no friend of slavery. The searcher of all hearts knows that every pulsation of mine beats high and strong in the cause of civil liberty. Wherever it is safe and practicable, I desire to see every portion of the human family in the enjoyment of it. *But I prefer the liberty of my own country to that of any other people, and the liberty of my own race to that of any other race. The liberty of the descendants of Africa in the United States is incompatible with the liberty and safety of the European descendants.*" \* \* \* This utterance, in particular, leads me to recall the letter of August 20, 1862, of Abraham Lincoln to Horace Greeley made public when the former declined, as he did at first, the importunities of the extreme men of his party, to issue the Proclamation of Emancipation, and his declaration of an earlier period of his eventful life, that Henry Clay was his *beau ideal* of a statesman.\*

Having held the Whig party together, notwithstanding the staggering effects upon it of Tyler's Bank vetoes, Mr. Clay took leave of the Senate March 31, 1842, in a brief speech which abounds in qualities of excellence. I mention here only some of these. Its elevation of thought and generous consideration for others; the dignity, the courtesy, the grace which appear throughout it, and the warmth of affection it breathes for his honored associates. The address marked an epoch in the history of the Senate, and is espec-

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\* Says the letter of President Lincoln above referred to:—

"My paramount object in this struggle is to save the Union, and is not either to save or to destroy slavery. If I could save the Union without freeing any slaves, I would do it; and if I could save it by freeing all the slaves, I would do it; and if I could save it by freeing some and leaving others alone, I would also do that. What I do about slavery and the colored race, I do because it helps to save the Union; and what I forbear, I forbear because I do not believe it would help to save the Union."

ially memorable for the fact that it remains to the present time (unless the leave-taking of Southern Senators at the outbreak of the war may be so classed) the only valedictory delivered by a Senator on retiring from his place. This, Benton declares, was the first occasion of the kind, and thus far had been the last. The Senator of thirty years goes on to observe, that it might not be recommendable for any one except another Henry Clay, *if, indeed, another should ever appear* to repeat it.

When overpowered by the scene, the Senate found itself disabled for the transaction of business during the rest of that day, it proceeded by a unanimous vote to adjourn. The Senators then crowded around Clay to respond to his affecting words of farewell. As he left the chamber, it happened that he met the great Senator from South Carolina, who (except for the presence of Clay and Webster) would have been matchless as an orator on the floor. There had been an unhappy estrangement between Calhoun and Clay. Meeting as they now did on the eve of a separation, believed by both to be final, they shook hands and made friends.

There is another short address of Mr. Clay, as Speaker of the House, years before that just mentioned, and made as a ceremonial act, A. D. 1824, to bid welcome to Lafayette when he visited the capital as the guest of the nation, to which I ought not to omit reference, first because, although in a different way, it was equally solemn and touching with the farewell to the Senate; and, secondly, because it has always appeared to me a bright example of the truth which is presented by Cicero, that he is eloquent, who is able to speak with appropriateness or naturally. *Is enim eloquens est qui et humilia subtiliter et magna graviter et mediocria temperate potest dicere.* It was on the occasion of the visit of Lafayette to our country that the ancient college of Harvard, by the golden mouth of one of its sons—Edward Everett—long time the first scholar in public life in the United States, laid, August 26, 1824, its tribute of reverence and affection before him in a chaste and beautiful oration of unanswerable power of reasoning, to show that republican institutions, to found which Lafayette had acted his devoted and heroic part, are favorable to the advancement of literature and the fine arts.

Mr. Clay did not appear in the Senate again until the time of the administration of General Taylor. Notwithstanding the reassertion by him of strong anti-slavery opinions, and the fact that these were objectionable to a majority of the people of Kentucky, he was elected Senator for a full term by the unanimous vote of the Legislature and took his seat December, 1849. The Southern disunionists witnessed the prospects of his return to public life with openly avowed regret and apprehension. The Mexican War and the consequent acquisition of new territory had revived the agitation of the slavery question. Mr. Clay had the year previous only, made known his views. He thought the South ought to assent to the exclusion of slavery from the new territories. If, he said, the South refused to accept such exclusion, I quote his letter of the year 1848 to James E. Harvey, "*it will nevertheless prevail; and the conflict, exasperated by bitter contention and mutual passion, will either lead to a dissolution of the Union or deprive it of that harmony which alone can make the Union desirable. It will lead to the formation of a sectional and Northern party which will sooner or later take permanent and exclusive possession of the Government.*"

To meet the difficulties of the situation he introduced resolutions to the following effect:

1. That California be admitted with her free State Constitution.

2. That Congress (inasmuch as slavery was not likely to be introduced into the territories acquired from Mexico) should provide territorial governments for New Mexico and Utah without any restriction as to slavery. Slavery in other words, was nominally to have a chance to get, where it was clear it would not go.

3 and 4. That a boundary line between New Mexico and Texas be fixed, giving Texas a little only of the New Mexican territory claimed by her, and paying Texas a certain sum of money for the discharge of her public debt, for which during her independent existence her customs revenue had been pledged.

5 and 6. That it was inexpedient to abolish slavery in the District of Columbia, but the slave trade in the district was to be abolished.

7. That a more effectual fugitive slave law should be enacted,

8. That Congress had no power to prohibit or obstruct the trade in slaves between the slaveholding States.

A veteran Senator knowing his part to perfection, he proceeded to perform it with absolute fearlessness. He was studiously careful to omit no courtesies that the occasion suggested, in acknowledgment of the deference extended to him on many sides, while he shook off "*like a dew drop from the lion's mane,*" every attack which his enemies aimed at him. Whoever will read the official record, as it is available in the Congressional Globe, will find his admiration of Clay aroused to the highest pitch.

When, February 20, 1850, the special order in the Senate was reference of the message of the President to transmit the constitution of California, and Mr. Clay was assailed in the debate, he said:

"But, sir, I desire the sympathy of no man—the forbearance of no man; I desire to escape from no responsibility of my public conduct on account of my age, or for any other cause. I ask for none. I am in a peculiar situation, Mr. President, if you will allow me to say so—without any earthly object of ambition before me; standing, as it were upon the brink of eternity; separated to a great extent from all the earthly ties which connect a mortal with his being during this transitory state. I am here expecting soon to go hence, and owing no responsibility but that which I owe to my own conscience and to God. Ready to express my opinions upon all and every subject, I am determined to do so and no imputation, no threat, no menace, no application of awe or terror to me, will be availing in restraining me from expressing them. None, none whatever."

The resolutions were referred to a grand committee of thirteen, of which Mr. Clay was made chairman. As he wanted, at first, one vote to elect him, that vote was given by Daniel Webster. Later on Webster added his tribute of praise of Clay's abilities as he witnessed the marvelous exhibition of them in the debate. The resolutions of the committee were reported in the shape of bills to the Senate. The report of Mr. Clay contained also a provision that any new

State to be formed out of the territory of Texas should when fit to be admitted be received with or without slavery as its people might determine. He supported his plan of adjustment for peace and the Union in a speech characterized in open Senate by Senator Benton as a frank, manly, noble and great speech. It occupied two days, and brought people from many parts of the United States, near and distant to Washington, to hear him. The political crisis filled everybody with apprehension, and imparted such interest to the proceedings as to make them frequently dramatic, and so as to leave a lasting impress upon the history of the times.

Owing to the crowd there was much confusion in the lobbies, and the avenues leading to the Senate Chamber. The floor and ante-rooms were also packed. It became necessary to close the approaches to the galleries and Senate Chamber and to call again and again for order. Other senators attentive to the imposing scene, turned to Mr. Clay with every mark of reverence. When he rose there was an outburst of enthusiasm. The multitude outside took up the shout, and rent the air with cheers, so that the senator from Kentucky could with difficulty be heard. He complained of the weight of years and of his waning strength, but declined repeated suggestions to adjourn for his relief. He began in feeble voice, but little by little recovered himself. The intense love of country with which his address glowed, and the transcendent power of his action, strangely agitated with many emotions, the hearts of all who were present, and obtained for him perfect mastery over the assemblage before him. He swayed it at will and left it enraptured. Throughout the debate on the compromise measures, it was found impracticable to repress the applause which greeted the sallies of his impassioned oratory. In every part of the Republic all that he said was eagerly waited for, and published and read, with consuming interest and excitement, in private and public places, by thousands of sympathetic and grateful fellow-countrymen, who joined in lauding his patriotism and eloquence to the skies.

He treated the United States rightfully as a nation having a great destiny to fulfill. He regarded it as a government designed to be perpetual, capable of attaining the objects for which it was created, by the means which are necessary for

their attainment, and having by the Constitution the powers required to defend itself against domestic as well as foreign enemies. He declared that war and a dissolution of the Union were identical and inseparable, and that the vast population upon the head waters of the Mississippi would never consent that the mouth of the river should be held subject to the power of any foreign State whatever. He besought gentlemen whether from the South or North, by all they held dear in this world; by all their love of liberty; by all their veneration for their ancestors; by all their regard for posterity; by all their gratitude to God, who had bestowed on them such unnumbered blessings; by all the duties they owed to mankind, and all the duties they owed themselves, to pause at the edge of the precipice before the fearful and disastrous leap was taken into the yawning abyss below. As the best blessing which Heaven could bestow on himself, he implored it, that if the direful event of the dissolution of the Union should happen, he might not survive to witness the heart-rending spectacle.

“If unhappily” said he, “we should be involved in Civil war between the two parts of this Confederacy, in which the effort upon the one side should be to restrain the introduction of slavery into the new territories, and upon the other side to force its introduction there, *what a spectacle should we present to the astonishment of mankind, in an effort not to propagate rights but—I must say it, though I trust it will be understood to be said with no design to excite feeling—a war to propagate wrongs in the territories thus acquired from Mexico. It would be a war in which we should have no sympathy, no good wishes, in which all mankind would be against us, and in which our own history would be against us.*”

Mr. Calhoun contended, on the contrary, that it was the duty of the South to force the issue on the North. Greeley pronounces him the truest and ablest exponent the country has known of the political creed antagonist to that of Mr. Clay. “We are stronger now” (Mr. Calhoun urged), “than we shall be hereafter, politically and morally. Unless we bring on the issue delay will be dangerous indeed. *It is the true policy of those who seek our destruction.*” Extraordinary man! Genius of the delusive and calamitous theories

over which the country was to be drenched in blood! It is not difficult, at this distance of time, to see, that viewed from his stand point, the judgment here expressed by him was correct. Mr. Calhoun was too ill to address the Senate during the debate, in question, on the compromise measures of 1850. The fact is his end was very near. His speech was read by Senator Mason, of Virginia, in the midst of profound silence on the 4th of March. There followed on the 7th of March the celebrated address of Mr. Webster of that date. Mr. Calhoun was present. He died March 31, 1850. Writing about him years afterwards when he had become an historical character, Benton observed that his reply to Clay on the subject of the independent treasury, in 1838, recalled to him the masterpiece of oratory by Demosthenes. On the occasion, April 1, 1850, of the announcement in the Senate of Mr. Calhoun's decease, Mr. Webster said he thought that there was not one of the Senators who listened to his last address in the body, who did not feel that he might imagine that they saw before them a Senator of Rome while Rome survived.

Mr. Clay made his closing speech some six months after the introduction of his resolutions. He declared it to be his belief, from the bottom of his soul, that the compromise would prove the reunion of the Union. It was the dove of peace, which, taking its aerial flight from the dome of the Capitol, would carry the glad tidings of assured peace and restored harmony to the most remote extremities of our distracted land. He appealed to Senators to discard all resentment, all passions, all petty jealousies, all personal desires, and forgetting popular fears, from whatever quarter they might spring, to think alone of their God, their country, their consciences and the American Union.

Referring to Senator Mason, he said: "Here is my friend  
 " from Virginia of whom I have never been without hopes.  
 " I have thought of the revolutionary blood of George Mason  
 " which flows in his veins—of the blood of his own father—  
 " of his own accomplished father—my cherished friend for  
 " many years. Can he, knowing as I think he must know,  
 " the wishes of the people of his own State; can he, with the  
 " knowledge he possesses of the public sentiment there, and



“ of the high obligation cast upon him by his noble ancestry,  
 “ can he hazard Virginia’s greatest and most glorious work—  
 “ that work at least, which she, perhaps more than any other  
 “ State, contributed her moral and political power to erect?  
 “ Can he put at hazard this noble Union with all its beneficial  
 “ effects and consequences, in the pursuit of abstractions and  
 “ metaphysical theories—objects unattainable, or worthless  
 “ if attained—while that honor of our own common native  
 “ State, which I reverence and respect with as much devotion  
 “ as he does, while the honor of that State, and the honor of  
 “ the South are preserved unimpaired by this measure?

“ I appeal, sir, to the Senators from Rhode Island and  
 “ from Delaware, my little friends, which have stood by me,  
 “ and by which I have stood in all the vicissitudes of my  
 “ political life; two glorious patriotic little States, which, if  
 “ there is to be a breaking up of the waters of this Union,  
 “ will be swallowed up in the common deluge, and left  
 “ without support. Will they hazard that Union, which is  
 “ their strength, their power and their greatness!

“ Let such an event as I have alluded to occur, and where  
 “ will be the sovereign power of Delaware and Rhode  
 “ Island? If this Union shall become separated, new unions,  
 “ new confederacies will arise. And with respect to this—  
 “ if there be any—I hope there is no one in the Senate  
 “ before whose imagination is flitting the idea of a great  
 “ Southern Confederacy to take possession of the Balize and  
 “ the mouth of the Mississippi, I say in my place never!  
 “ *Never!* NEVER will we who occupy the broad waters of  
 “ the Mississippi and its upper tributaries consent that any  
 “ foreign flag shall float at the Balize or upon the turrets of  
 “ the Crescent City—Never—Never!”

Senator Barnwell, of South Carolina, having complained  
 that expressions had been used by the Senator from Kentucky  
 that were not a little disrespectful to a friend of his, Mr.  
 Clay replied:

“ Mr. President, I said nothing with respect to the character  
 “ of Mr. Rhett, for I might as well name him. I know him  
 “ personally and have some respect for him. But if he pro-  
 “ nounced the sentiment attributed to him of raising the  
 “ standard of Disunion, and of resistance to the common

“ government, whatever he has been, if he follows up that  
 “ declaration by corresponding overt acts, he will be a traitor,  
 “ and I hope he will meet the fate of a traitor.”

Senator Barnwell having brought forward and defended the attitude and spirit of the State of South Carolina, Mr. Clay resumed:

“ With regard to South Carolina and the spirit of her  
 “ people, I have said nothing. I have a respect for her; but  
 “ I must say, with entire truth, that my respect for her is that  
 “ inspired by her ancient and revolutionary character, and not  
 “ so much for her modern character. But spirited as she is,  
 “ spirited as she may suppose herself to be, competent as she  
 “ may suppose herself to wield her separate power against the  
 “ power of this Union, I will tell her, and I will tell the Senator  
 “ himself that there are as brave, as dauntless, as gallant men  
 “ and as devoted patriots, in my opinion, in every other  
 “ State, as are to be found in the State of South Carolina  
 “ herself; and if, in any unjust cause, South Carolina or  
 “ any other State should hoist the flag of disunion and rebel-  
 “ lion, thousands, tens of thousands of Kentuckians would  
 “ flock to the standard of their country to dissipate and  
 “ repress their rebellion. These are my sentiments—make  
 “ the most of them.”

Again. “ If Kentucky to-morrow unfurls the banner of  
 “ resistance, I will never fight under that banner. I owe a  
 “ paramount allegiance to the Union, a subordinate one to  
 “ my State. When my State is right I will share her for-  
 “ tune, but if she summons me to the battlefield, or to sup-  
 “ port her in any cause which is unjust, against the Union,  
 “ never, never, will I engage with her in such a cause.”

The Compromise bill was familiarly known in the history of the day by the name of the *Omnibus Bill*, given it by those who were opposed to it, being, as they asserted, a combination of things wholly dissimilar in one measure and a kind of bargain and barter discreditable to the country. During the discussion amendments were repeatedly offered and voted upon. August 1, 1850, the Senate reached a final vote and the bill before it was read a third time and passed. But in the shape to which it had been reduced in the course of legislation, it provided *only for a territorial government in*

*Utah.* Thus it happened, that the Compromise measures reported for the committee of thirteen by Mr. Clay were lost. On the same day he said:

“I stand here in my place meaning to be unawed by any threats whether they come from individuals or from States. I should deplore as much as any man living or dead that arms should be raised against the authority of the Union, either by individuals or by States. But after all that has occurred, if any one State, or a portion of the people of any State choose to place themselves in military array against the government of the Union, I am for trying the strength of the government.”

He proceeded \* \* \* “Sir, when that is done, so long as it pleases God to give me a voice to express my sentiments, or an arm, weak and enfeebled as it may be by age, that voice and that arm will be on the side of my country, for the support of the general authority, and for the maintenance of the powers of this Union.”

When he was reproached by a Southern Senator for being a Southerner disloyal to the South, he answered: “I know no *South*—no North, no East, no West.” Again he said: “I may be asked, as I have been asked, when I am for the dissolution of the Union. I answer: Never—Never—Never!”

Bad feeling was rife in the Senate and ran high. Hard words were exchanged, and bitter taunts and reproaches bandied from Senator to Senator. The effect was to inflame the extremists on both sides to exasperation. The temper of those of the North was absolutely unyielding, while the disposition of the Southern men of the same order was undoubtedly to fight. Anxiety and alarm filled the air. There were clashes between Clay and other Senators. These threatened to break out into civil war. They filled many with alarm, and made others stand aghast. It is my belief that no one ever spoke more eloquently than Clay did in these episodes of the great debate which, during the first session of the 31st Congress, A. D., 1850, shook the capitol and thundered over the country. Enfeebled by the approaches of illness and bowed beneath the burthen of age, for he was now an old

man, he added fresh lustre to the fame won by him in his earlier efforts, and took rank as the Prince of the Senate. In this stormy period of our history he appeared just as he is pictured in the verse of Prentice :

“ With voice and mien of stern control,  
 “ He stood among the great and proud,  
 “ And words of fire burst from his soul,  
 “ Like lightning from the tempest cloud.  
 “ His high and deathless themes were crowned  
 “ With glory of his genius born  
 “ And gloom and ruin darkly frowned  
 “ Where fell his bolts of wrath and scorn!”

August 2, 1850, disappointed, exhausted and broken in health he went to Newport to recover. August 6, a bill proposing a boundary to Texas, cutting down New Mexico somewhat more than Mr. Clay had designed passed the Senate and gave Texas \$10,000,000. Next was passed a bill to admit California as a free State. August 15, the bill to establish a territorial government in New Mexico was passed, providing that New Mexico when it came in as a State, might do so with or without slavery, as her constitution might determine, and August 29 the fugitive slave law passed. When, in the last week in August, Mr. Clay returned to Washington his compromise measures—except the abolition of the slave trade in the District of Columbia—had all passed. The bill abolishing the slave trade in the District of Columbia passed the Senate, September 16, 1850. Mr. Clay not only advocated the bill, but profited by the opportunity of the debate to state his belief that slavery would pass away in the District, *and to declare that he was very glad of it.* September 30 Congress adjourned, and Mr. Clay, much exhausted, sought the repose of home. He had once more saved the country from civil war. Daniel Webster, writing to a friend and telling him of the crushing weight of anxiety and responsibility with which he had been oppressed, now announced the return of public confidence and order. He said: “It is a day of rejoicing here such as I never witnessed. “The face of everything is changed. You would suppose “nobody had ever thought of disunion.”

Both political parties proceeded to adopt the compromise measures as the foundation of their policy. The passage of

the Kansas-Nebraska act, four years later A. D. 1854, embodying as it did the repeal of the Missouri compromise, when the career of Mr. Clay had been closed by death, helped to undo the labors of his life, and opened the way for the revolution which plunged the country into the greatest civil war of modern times.

After the enactment of the compromise acts Mr. Clay continued to exert his influence for Union and harmony. He spoke in Congress, at the last session at which he was active, for the taking up the tariff of 1846, and for a river and harbor bill appropriating \$2,500,000, and then sought relief in vain in the climate of Cuba for his broken health. When the session of the Thirty second Congress drew near its close he went to Washington to take part in it, but was never strong enough to go to the Senate Chamber. A dying man he spoke in his sick room to Kossuth, the Governor of revolutionary Hungary, who sought to enlist the government and people of the United States in the cause of his country, against the effort, and solemnly warned the people of America, for the cause of liberty, *to avoid the distant wars of Europe, and to adhere to our own wise and pacific system.* He died June 29, 1852, in the city of Washington, in the seventy-sixth year of his age. The national bereavement found expression in the wail of sorrow which overspread the land on the announcement of his decease. He was mourned everywhere as a statesman and patriot, the benefactor of a grateful people. In the heart of the Blue Grass Region, close to his home at Ashland, in the beautiful cemetery at Lexington, amidst the glories of the costly summer, where nature is untreasured of her riches, his earthly remains were, according to his cherished wish, laid under the green sod of Kentucky to rest with those of her gallant and patriotic sons.

Time fails me to offer anything here except briefest reference to the tributes which men of different political parties proceeded to pay to his memory. I give but very limited examples of these, and indicate the character of them rather than undertake to quote literally from them. John C. Breckenridge, a Representative in the House, who had succeeded to the Ashland District so long represented by Mr. Clay, rising to perform the melancholy duty of announce-

ing the death of the latter, declared that amidst the general gloom the Capitol itself looked desolate as if the genius of the place had departed. He said as a leader in a deliberative body Mr. Clay had no equal in America. In him intellect, person, eloquence and courage, united to form a character fit to command. He would not attempt in speaking of a loss which was national, to describe the burst of grief with which Kentucky would receive the tidings. The attempt would be vain to depict the gloom that would cover her people when they would know that the pillar of fire had been removed, which has guided their footsteps from the life of a generation. Richard J. Bowie, a Representative from the State of Maryland, distinguished Clay as the advocate of freedom in both hemispheres. He said that the United States mourned a counsellor of deepest wisdom and purest purpose, mankind the advocate of human rights and constitutional liberty. R. M. T. Hunter, Senator in Congress from the State of Virginia, said, that Clay had beyond any other man he ever knew, the mesmeric touch of the orator, the rare art of transferring his impulses to others. Thoughts, feelings and emotions, came from the ready mould of his genius, radiant and glowing, and communicated their own warmth to every heart which received them. His, too, was the power of wielding the higher and intenser forms of passion with a majesty and ease which none but the greatest masters of the human heart can employ. William H. Seward, Senator from the State of New York, said, that the people of the country had unanimously acknowledged Mr. Clay as the greatest, the most faithful, and the most reliable of their statesmen. The Senator went on to declare, that Clay had converted the Senate from a negative position into the active ruling power of the Republic. To the foregoing I add what was said by Charles J. Faulkner, a Representative in the House from the State of Virginia. He justly claimed, that in the whole character of Mr. Clay, there is nothing to be found not essentially American. His country—*its* institutions—*its* interest—*its* destiny form the exclusive topics of his speeches, which have all the ardor and intensity, the earnestness, the cogency, the vehemency of style, and the burning patriotism of the great Athenian Orator.

Chief Justice Marshall regarded Mr. Clay as second to no lawyer in the country. Justice Story thought he was a jurist of extensive attainments and profound ability. President Madison considered his name in connection with the highest military command when the war of 1812 broke out, and was dissuaded from his purpose on the ground only that Clay's services were indispensable in Congress. Madison offered him the appointment of Minister to Russia, and afterwards that of Secretary of War. President Monroe also tendered him the office of Secretary of War, and afterwards the mission to England. President John Quincy Adams offered him a seat on the bench as Justice of the Supreme Court of the United States. President Harrison tendered him the department of State, which on his refusal went to Webster.

Had it been possible for him to have held all the offices which I have named, they could not have added to his distinction. What Mr. Adams said of his course as Secretary of State may be appropriately spoken of the services he rendered in every public station he actually did fill. To have secured the praise of John Quincy Adams is, of itself, the highest honor. Said Mr. Adams: "The Department of State "itself was a station which, by its bestowal, could confer "neither profit nor honor upon him, but upon which he has "shed unfading honor by the manner in which he has dis- "charged its duties. As to my motives in tendering him "the Department of State when I did, let the man who ques- "tions them come forward. Let him look around among the "statesmen and legislators of the nation, and of that day. "Let him then select and name the man whom, by his pre- "eminent talents, by his splendid services, by his ardent "patriotism, by his all-embracing public spirit, by his fervid "eloquence in behalf of the rights and liberties of mankind, "by his long experience in the affairs of the Union, foreign "and domestic, a President of the United States, intent only "on the honor and welfare of his country ought to have pre- "ferred to Henry Clay."

He was defeated for the Presidency when Mr. Adams reached it. When the election devolved upon the House of Representatives, Mr. Adams was chosen President over General Jackson, by the action of Mr. Clay. His sup-

porters were routed by General Jackson in the campaign of 1832, and owing to the machinations of the Democrats, and the vote of the Liberty Party, he lost again in 1844, when James K. Polk was elected. He was deprived by political legerdemain of the nomination when William H. Harrison received it in 1840, and when Clay's was the largest following in the Whig convention; while in 1848, by the abandonment of some who owed him everything that public life had bestowed, he was set aside for General Taylor, who was virtually without a history as a party man. He met the vicissitudes of his public life with a degree of fortitude that was sometimes astonishing, and remained to the end the acknowledged leader of the Whig party. He stood loyally by his chief when Mr. Adams himself suffered defeat at the hands of General Jackson in 1828. When Harrison was unjustly preferred to him, he declared his intention to support him notwithstanding. His sentiment, repeatedly insisted on, was, that a public man should be prepared to sacrifice his individual interests for the general good. He declared that he would rather be right than be President. The result of the election in 1844 fell like a heavy stroke of affliction upon a great part of the country, but he consoled himself with the proud reflection that he had received the support of men of honor everywhere and of the chivalrous and patriotic throughout the land. Others bowed low over the calamities which overtook the Whig party in the administration of Tyler and over the errors of policy into which the party fell afterwards. He, true to himself as few only know how to be, gathered up his powers for further devoted endeavor. "Holding the principle," he said, "that a citizen, so long as a single pulsation remains, is under an obligation to exert his utmost services in the service of his country, whether in a public or private station, my friends may rest assured that in either condition I shall stand erect, with a spirit unconquered while life endures ready to second their exertions in the cause of Union and Liberty." Admirable and inspiring words! No wonder that Daniel Webster, who understood from sympathy and the associations of many years the strength of purpose and devotion which animated him, appealed to him at one time when he had withdrawn from



public life, to leave his retirement at Ashland, and come once more to the rescue. Webster wrote: "It would be infinite gratification to me to have your aid, or rather your lead. I know of nothing so likely to be useful. Everything valuable in the government is to be fought for, and we need your arm in the fight."

Like powers of oratory with those of Mr. Clay have not been witnessed in the history of our country. They made him unquestionably the congressional leader of his time. He was the most magnetic speaker in public life and a popular orator of amazing powers. He could touch the finest emotions and sensibilities and play on them at will. He could arouse the strongest passions and stir them into tempests. He was followed with rapt attention. Great multitudes when he addressed them fixed their "white-upturned wondering eyes" on him, and either shed tears, or yielded to outbursts of rejoicing or of enthusiasm according to the mood he chose to excite.

His personal popularity exceeded, as I am well persuaded, that of any statesman who has appeared in America since the time of Washington. He had a host of devoted friends here in New Orleans, where he was seen often on the streets of the city. His affections were warm and true. His memory for faces was excellent. He was indeed, noted for recalling at once all who had been presented to him, and knew admirably how to leave with those who had pleased him, an impression of unfading graciousness. He was "*to those men that sought him sweet as summer.*" His constitution of mind, as well as of person, fitted him particularly for the part of the orator, which in a free government is necessarily the most distinguished. He was tall and slender, of commanding and graceful figure, as he is correctly represented in the bronze statue before us. The gestures he employed in speaking were easy and natural. His ardent and hopeful temperament irradiated every feature. His dauntless spirit beamed in the kindling gaze of his clear although rather small gray eyes. While he was by no means a handsome man, his countenance was an open one, and was expressive and variable. His forehead was high and broad. His mouth was large. His voice fell upon the ear with the harmony of enchanting strains of music.

Thomas J. Marshall, of Kentucky, one of the most distinguished public speakers of his day, confident as he declared himself of the superior merit of his contention, on one occasion, declined to answer Mr. Clay until the magical spell wrought by the effort of the latter had subsided. Richard H. Menifee whose genius raised in him the proud ambition to surpass Clay in forensic discussion, fell untimely in the flower of early manhood, stricken by mortal malady in the very act of speaking for which he had wound up all his powers of body and mind, until they gave way beneath the strain. The effect produced by the peroration in the great argument of Clay on internal improvements in Congress has been compared by Prentice *to the thrill of victory in the reins*. Jeremiah Clemens, Senator from the State of Alabama, on the announcement, April 1, 1850, in the Senate, of the death of John C. Calhoun, when Senators Butler, Clay, Webster and Rusk spoke, declared that Clay was *the world's greatest living orator*. Pierre Soulé, twice Senator in Congress from Louisiana, himself a brilliant orator, giving me a scene presented by the Senate of the United States when the compromise measure of 1850 were under discussion said, Mr. Clay seemed to hold a *whip of scorpions* in his hand, with which he scourged his enemies and compelled his followers into the ranks. The famous diary of John Quincy Adams treating the subject of the great debate between Clay and Calhoun upon the dissolution of the alliance between the latter statesman and Clay says: "Clay had manifestly the advantage in the debate. The truth and the victory were with Clay, who spoke of the South Carolina nullification with such insulting contempt that it brought out Preston who complained of it bitterly. Preston's countenance was a portraiture of agonizing anguish."

The leading and paramount object of the public life of Clay was declared by himself to be the preservation of the Union, or of the peace of our common country under the Constitution. It was his unceasing endeavor to promote *the more perfect union* contemplated by the fathers in the beginning. He could have had no wiser or grander public policy to guide him. Gathering years have accumulated. Almost half a century has elapsed since he closed his high career.

Throughout the South as well as the North, it is now seen, not only that his knowledge of American character was profound, but also that there was no other fortunate issue for the people of the United States from their civil war, than that which preserved for them one and the same great nationality.

The disposition of the mind of Mr. Clay carried him habitually to the right side. Personal considerations, had no weight with him in comparison with public duty. He was a stranger to the prejudices of sectionalism. The love of liberty burned in his breast like a holy flame! He carried with him and was contently animated by the true spirit of the advice of Cardinal Wolsey to Cromwell as being essential to the usefulness and honor of a public servant, where Shakspeare makes Wolsey say :

“Still in thy right hand carry gentle peace,  
 “To silence envious tongues: be just, and fear not:  
 “Let all the ends thou aims’t at, be thy country’s,  
 “Thy God’s, and truth’s.”

“How beautiful,” says the prophet (Isaiah, CLII, v. 7) “upon the mountains are the feet of him that bringeth good tidings, that publisheth peace.” The inspired injunction of Paul the Apostle to the Hebrews (ch. X, v. 13) was, “to follow peace with all men.” The General Epistle of James (ch. III, v. 17) declares that “the wisdom that is from above is first pure, then peaceable.” The message sent from God Himself by His angel and a multitude of the heavenly host, (St. Luke, ch. II, v. 14) freighted with the best hopes that our fallen race has been allowed to cherish, is “peace and good will to men.”

If there is difficulty in understanding what the blessings of peace really signify, it can not be here in New Orleans, where there are still so many whose sight has been seared by the ravages of civil war. I will not call the black catalogue of those ravages, nor do I mean to refer to the losses and waste, to the violence, the bloodshed and crimes, and to the ruin and desolation of that appalling fratricidal struggle, except to award to Henry Clay the wonderful credit which is his due, of having shown far beyond any other public man of the period, the wisdom

and courage to postpone it, and of having striven most devotedly of all, to avert it altogether. He understood perfectly the folly and madness of the policy of secession. He foretold, with prophetic insight into the American disposition and destiny, the awful consequences which the baneful attempt to secede would bring with it.

In the arrangements of Divine Providence differences honorably settled lead to closer friendships. History is full of proofs of the assertion. Nationalities are not destroyed by civil struggles, but rather cemented by them, and at the close invigorated by the vicissitudes they are condemned to undergo. In England, the contest for the throne caused the War of the Roses, but the war ended with the union of Henry VII as the representative of the House of Lancaster, and Elizabeth of York. The Red Rose was blended with the White. The thirty years religious war which swept over and desolated Germany, was concluded by the treaty of Westphalia, recognizing formally, at least, principles of religious toleration. The war in England between the House of Stuart and the Roundheads, in the end settled most firmly the liberties of the British Realm, and seated William and Mary upon the throne of a Constitutional Monarchy. In the stormy period of French history, La Vendée was visited by fire and the sword, but rose from its ashes and contributed to the growth and consolidation of the French Empire. Our own great country is destined to add, or rather has already added a fresh example to those I have just cited; and Henry Clay, it is not to be doubted, felt that this would be the case. He was deeply imbued with the belief *that the preservation of the Union as the sole guaranty of American rights, interests, liberties and honor, was worth every sacrifice.*

Lord Chatham declared that he had read Thucydides and studied and admired the master states of the world. That for solidity of reasoning, force of sagacity and wisdom of conclusion, under such a complication of difficult circumstances, no nation or body of men could stand in preference to the Congress at Philadelphia; and Senator Benton, taking up his observation, has added that if Chatham had lived to see a later day, and the men of Benton's time making themselves exceptions to the maxims of the world and finishing the

Revolution, and all with the same wisdom, justice and moderation and decorum with which they began it, even his lofty genius would have recoiled from the task of doing them justice.

Let us, fellow-citizens, in our own time and in our several places, do our parts also. Let us, in closing the ceremonies of this day, render thanks publicly to Heaven, not only for the example of the fathers and for that of the succeeding generation which took up their work and carried it worthily forward, but let us do so in particular, on the present occasion, for the life and services of Henry Clay as a patriot, statesman and orator, and as an illustrious man of splendid gifts and glorious memory, the champion of freedom and of American Union. Realizing fully that the extinction of slavery was the removal of a great evil from the Republic, and rejoicing that there is at this time no impediment to its progress, let us welcome, with proud and grateful hearts, the prospect before our dearest country, of being first in the arts and sciences, as well as in wealth and power, of the nations of the earth.

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