SPEECH

of

MR. WALL, OF NEW JERSEY,

ON THE

WILL TO SEPARATE THE GOVERNMENT

FROM THE BANKS.

DELIVERED IN THE SENATE OF THE UNITED STATES MARCH 23, 1838.

WASHINGTON

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1838.
In Senate, March 23, 1838—Upon the bill "to impose additional duties, as depositories, upon certain public officers, to appoint Receivers General of public money, and to regulate the safe-keeping, transfer, and disbursement of the public moneys of the United States."

Mr. WALL rose and addressed the Senate as follows:

The bill which now demands our action, Mr. President, proposes to provide by law for the safe-keeping, transfer, and disbursement of the revenues and public moneys of the United States. This is a duty imposed upon us by the Constitution, and we cannot discharge ourselves from its performance, without being guilty of a neglect eminently censurable, if not criminal. It is a duty that all admit rests upon us; and the Legislature of New Jersey, in the resolutions which my honorable colleague has read to the Senate, and made part of his speech, and to which he professes fidelity, declare, "that it is the constitutional right and duty of Congress to provide for the safe-keeping and disposition of the public treasure." My colleague has satisfied himself, by what process of reasoning it is not my purpose to inquire, that that treasure is now in the hands of the Executive. If so, sir, it makes that duty more imperative, and ought to stimulate and accelerate our action. I think my colleague wrong in his view, on this subject. Still, however, I concur with him and the resolutions of the New Jersey Legislature, both as to the right and duty of Congress; and mean to perform that constitutional duty faithfully, to the best of my abilities and understanding.

How, then, shall we perform that duty under the Constitution, in the best manner for the country? In other words, how shall we best provide for the safe-keeping of the public treasure? There are but two modes proposed, or which can be proposed; one is, to commit the custody of the public treasure to the constitutional officers of the people, designated, regulated, controlled, and punishable by law of Congress, and bound by all the solemnities and obligations, and restrained by all the punishments which the laws and the Constitution can impose to keep it solely for the public use.

The other is to withdraw it wholly from the custody of the constitutional organs and agents of the people, and to commit it to a bank, created by Congress, or to a league or oligarchy of banks, created by State sovereignties, quo ad hoc, foreign to the United States, and beyond their control, to be used, until wanted for the public use, for the benefit, profit, and advantage of the privileged corporations selected.

You will perceive, sir, that I have classed the distinct propositions which respect the committing the public treasure to a Bank of the United States, and the State banks as one and identical. It is so in principle. Both reject the officers chosen by the people, under the Constitution, as not trustworthy and safe depositaries; both require the repudiation of the principle of keeping the public money solely for the public use. Both assume that corporations are better qualified to choose the officers to keep the public money than the people; and that the corporations, for thus performing a duty, with which the people are not fit to be trusted, should be rewarded by a privileges denied to all other persons, bodies, corporate or politic, of using the public treasure for their own profit.

Shall we, then, commit the public revenues, which have been called the life-blood of the people, shall we commit the public treasure, which Mr. Madison, on one occasion, denominated "the soul and body of the body politic," to the officers of the people, their constitutional agents and organs? or shall we give the soul and body, and the life-blood of the people, to corporations without soul or body, or the generous impulses which spring from the current of the life-blood?

Mr. President, in my judgment, this is reviving, in another form, the long agitated question whether the people are capable of self-government. Those who contend for the agency of banks instead of the people in choosing the guardians of the public treasure, in effect deny that the experiment, in the pursuit of human happiness, ever made by nations—the experiment (I beg pardon of the gentlemen upon whose ears this word grates so unpleasantly, for repeating it) of the capacity of the people for self-government—has succeeded; nay, it is proclaiming that it has failed. It carries us back to the position of our ancestors, at the time of the glorious Declaration of American Independence. What was that position? Our ancestors had brought with
them, from their mother country, that part of the common law called the Folk Law, but none of the essential portion of political power, or the prerogatives of sovereignty. All that portion which related to the independent right of self-government, the right to the purse and the sword, was left, or claimed to be left, beyond the Atlantic, in the keeping of the King and the Lords and Commons of England. The Revolution sprung from the claim of Parliament to the purse of the American people. Our ancestors perilled life, liberty, and honor in resistance to a twopenny duty upon stamps, and a threepenny tax upon tea. Who does not recollect the argument of the Tories of that day, to prove that the people were not capable of self-government, and that it was the best policy, and greatly for their true interests, to leave their purse in the keeping of the English Parliament, and their sword in the custody of the King? Our ancestors triumphed. All political power became their own. They took it in their own hands, and by a written Constitution prescribed the limits, and defined the limits, of that power, and regulated its future distribution, exercise, and action.

Let us not confound names, or confuse ideas. Our ancestors understood by the word sword, that part of the prerogative of sovereignty which relates to the declaration of war, and issuing letters of marque and reprisal—*the power over the peace of the nation*. By the British Constitution, that prerogative was assigned to the King. But the people, by their representatives in Parliament, retained the purse in their own hands; that is, the right to appropriate revenues, the right of taxation, and the right to raise and provide for armies, to control the Executive authority of the sword. But the right to appoint the officers who were to wield the sword, and to collect and keep the revenues, was an Executive power, and left with the King. The people, when they framed our Constitution, took both the sword and the purse from Executive power, and transferred it to Congress, the legislative power. But the appointment of the officers of the army, and of the revenue, to collect and keep the public treasure, was left still an Executive power, to be exercised by the nomination of the President, and the confirmation of the Senate. When the people, speaking through their legislative power, raise revenues, public treasure, they prescribe the mode of keeping and distributing it, and then the Constitution steps in, and fixes the agents by whom it is to be done. But how? For private use? No, sir, nor for public use, by officers of the people, and according to the will of the people. Let us hear no more about the President's usurpation, of his grasping both the purse and the sword, because he appoints and removes officers of the army, and of the revenue, and the *Treasury*. Congress can neither confer nor take away that power; it is given by the Constitution. You can create officers, but you cannot appoint officers, without usurpation. I will not borrow the language of my honourable colleague, and say that it is gross ignorance, or deception, or to assert that the President can usurp the purse and the sword by appointing or removing officers to command the armies, or collect and keep the revenues and public treasure; but I will say, that such a pretence has no foundation in the Constitution of the laws of our country, and it can do no harm but to him who has the hardihood to assert it. It is revolutionary and unconstitutional.

Mr. President, our ancestors, by the Revolution, acquired the whole political power, all the prerogatives of sovereignty. We are now asked to surrender to corporations, to banks, a part of that sovereignty, and the most essential part—the life-blood of sovereignty, the soul and body of the people, the purse and public treasury. I am amazed and astonished at the magnitude of the demand. What, sir, give the custody of their money, the soul and body and life blood of the public to corporations, who, in the quaint language of Lord Coke, have “neither souls to be damned, nor bodies to be hung”? a defect the more to be lamented, as it protects them from punishment, but does not save them from sin.

But, sir, if you commit the custody of the public money to corporations or banks, how are they to keep it? Why, they must, after all, do it as the people do it, by agents, or organs, by officers; chosen by the people—by men. This brings us to the true difference between the policy sustained and carried out by this bill, and the policy of its allied opponents; and it is simply this. We say that the people ought to choose those men; they say, give the choice to the banks. Why should not the people choose? If they are to be excluded, it must be because the great experiment of self-government in their hands has failed, as relates to the purse; in other words, the people are not fit to govern themselves—to take care of their money. They are their own worst enemies, and that banks are the best conservators of their money. To carry on the great experiment of self-government, the people must dispense with their own agents, and substitute in their place the agents of banks, and give the banks the use and profits of the public treasure. Do the banks choose men who are more honest, faithful, and capable, than the people? Does a bank stamp upon men operate as it does upon paper, and change their qualities, value, worth, and character? Alas, sir, the history of banks and corporations is the blackest page in the history of fraud and violated trust.

Mr. President, I repeat that there are but two sides to this question. There are but two policies thought of. Shall we select the officers of the people, chosen and appointed under the Constitution, and regulated by our laws, to keep the public Treasury, or shall we delegate that selection to corporations or banks?

Now, sir, it may well be doubted whether we have any such constitutional power so to transfer and delegate our own legislative trust. Whether, if we have, we can so far change the Constitution, which gives to the President “the appointment of all officers of the United States established by law,” and not otherwise provided for in that instrument. Does not an officer of a bank, selected to keep the public purse, become ipso facto an officer of the United States? The Constitution of the United States intended to create an independent Government—self-acting, self-moving, self-poised, self-sustained—to derive its vital power from the breath of the people of the States composing the Union.
Its proportion, its stature, its features, its functions, all, all are delineated by the mighty hand of the people. One of the fundamental principles of that Constitution is, that all the functions of the Government, thus established, shall be performed by men of souls and bodies, nerve and sinew, responsible and amenable to impeachment, to punishment; natural bodies, not artificial bodies—soulless and irresponsible and unpunishable, but all deriving their authority from the people, and responsible to the people. Are corporations so? Who can open its proportion, its stature, its features, its functions, its responsibilities to the people? Could corporations so? Who can open their books or doors without their leave, even if stipulated for by law or contract?

Could we delegate the trust of selecting our fiscal agents to the Queen of Great Britain, or to the King of France? Could we give the use of our moneys and the appointment of our fiscal officers to the Bank of England, or of France? And if not, why not? These inquiries are full of weighty and important considerations; but I shall not pursue them further at present.

The policy proposed by this bill, and which the gentlemen on the other side call the policy of the Government, is, when analysed, simply to separate the treasures of the people from the funds of the credit system, or banks; to withdraw the public revenues from the use of a privileged class of men, who already have the right to draw treble interest upon their money; to prevent its being banked upon, and mixed up with the fluctuations of trade, to restrain the banks from loaning it for their own use to the people to whom it belongs, and charging them as the banks charge them for their own funds, treble interest, to interfere with the banks from making usury of the public treasure, and putting that usury in their own pockets; it is to bring back the Government to its ancient simplicity, to its constitutional action; to return to the principles of the first Treasury law framed by the makers of the Constitution, the law of 1789.

This law collected, kept, and disbursed the public money, by the agency of the officers of the Government of the United States, not of banks, and such was the practice for nearly the first thirty years of the Government. Does this do wrong to any one? Is it not in conformity to the principles of our institutions, of equal rights and equal privileges, and that the blessings of Government be diffused, like the gentle dews of Heaven, upon all?

If we must look for agents chosen by corporations, what right has the corporations of banks over the corporations for railroad funds, turnpikes, mechanics, manufacturers, farming, or other useful purposes? Nay, what right has the president and directors of a bank, in their corporate character, over the individuals who fill those offices? Who would not as soon trust Nicholas Biddle, Preserved Fish, Isaac Hill, and their respectable directors, and the other respectable presidents and directors of State banks, in their individual character, as in their corporate character? Yet what would be thought of the man who should seriously propose that the public funds should be committed to the charge of such men as they should select, and that they should have the use and interest of it for the trouble of keeping it?

Now, what is the antagonist principle of the allied opponents of this policy? The antagonist policy, disguise it as you will, is, in fact, to separate the money of the people from the people and from their Government; to put it beyond the control of the people and their Government, under the control of banks and bank agents, for bank uses. How, sir, is this attempted to be done?

They attempt to separate the people from the Government, to sow dissensions, create animosities, and to alienate the people from the officers whom they have chosen. Does not he who causelessly attempts to make the people believe that their interest is distinct from their Government, and thus to create two separate powers, aim to overthrow and subvert the Constitution? Sir, the Government under our Constitution is from the people, of the people, and for the people, one and indivisible, forever inseparable. Cut the ligament which binds them together, and the people will not have left even the poor privilege of dividing a part of the prerogatives of sovereignty with bank corporations. They declaim against office-holders, and attempt to render them odious and suspected by the people. Why? Is it that office necessarily corrupts? Oh no. Let the banks confer office, and honor, integrity and talent go with the patent; or let their own party confer office, and the recipient at once becomes superhuman, godlike. Is it not strange that those who are continually denouncing office holders as corrupt and corrupting; who talk of scourging them back to their dens, and caverns, and prisons, will be found like the moth fluttering around the attractive flame, which is sure to consume their virtue, honesty, and patriotism? Nay, they are even willing to owe their greatness to their country's ruin. Their hopes rise as the barometer of their country's prosperity sinks. Their mirth and rejoicings seek the scenes of the greatest distress for their exhibition, and their feasts of triumph are spread upon the tombs of trade, credit, and commerce, and midst the ruins of the prosperity of their country. Like the revels of the guardians of the sick, in the caves doomed to the ravages of plague and pestilence, their orgies become more loud and revolting, as the scenes of human misery deepen in horror and suffering. If we believe that the scenes of distress which they depict, are drawn from nature, what but consolations of the near approach of office would shed joy, and mirth, and glee, upon scenes spread amidst the ruins of their country.

Mr. President, we have the scenes of the panic session acted over again on this occasion. Eternal war is declared against this odious policy of the Government, Executive encroachments, tyrant General Jackson, the removal of the deposits, the war of the Executive upon commerce and the credit system, are again the fruitful subjects of eloquent declamation. All public misery and distress is again traced up to the war upon the credit system, and the removal of the deposits. Sir, have we lost our memories? Do we not recollect how popular the same gentlemen, who now renew daily their griefs from the same fountain, were, that the only panacea for the restoration of prosperity was the restoration of the deposits? Their deposits were not restored, but the recuperative energies of the people restored prosperity. It is hazardous to try the same experiment of delusion.
twice upon an intelligent people. Do the banks contract and expand, and then suspend, and thus fill the land with misery? it is all charged to the removal of the deposits, and the withholding the public money from the private use of the banks. This continual clamor reminds me of the story of the tory who was found in office at the commencement of the Revolution, and his adherence to his principles, lost him both office and property. After the Revolution, having received the remuneration which was so royally bestowed upon the loyalists, he returned to this country, but to the day of his death, when his business was dull, trade prostrate, crops short, or any disaster occurred in the political or natural world, he never failed to explain that it was all owing to General Washington and the American Revolution. Prejudice is always the same; short-sighted, vindictive, unjust.

The old story, that "he who trades on borrowed capital ought to break," has been taken from the counter, (where it had been nailed as the counterfeit presentment of truth) by the honorable Senator from Massachusetts, [Mr. Webster and my colleague,] and new stamped, and once more put in circulation as genuine. Sir, I do not believe that even their mint, however excellent it may be, can restore credit to such currency: the metal is too base to receive new value from its impress.

The late and present Administrations have been accused of working upon trade, upon commerce, upon banks, and upon the credit system. Why, Mr. President, you cannot open a statute book nor a newspaper in the country, but you find a refutation of these unfounded charges. Look to the millions restored by the honest law; the masses of people, and the history of the country, and you will find that the laws have been protective, as benefactors are too often rewarded, by persecution and slander.

But, Mr. President, it is amusing, as a novelty, to find that gentlemen in the Opposition are now the advocates of the pet bank system. I have so soon forgotten the eloquence which they displayed in abusing that odious system, and their prophecies that it would fail! It has failed; and now, when prophecy has become fact, they become its staunchest supporters, and ask us to help them in sustaining a measure that has been tried, and failed. Sir, there is no disputing about taste; some prefer tinned viands, and I have heard of a whole nation whose taste requires the action of corruption to make food palatable.

However, in justice to the pet banks, I feel bound to say, that, in my opinion, their ruin was commenced by the recharter of the Bank of the United States, by the Legislature of Pennsylvania, hastened by the depository law, which originated with their present friends; and sealed by the Bank of England—by the one week's panic which caused the prostration of American houses, and the overthrown of American credit, to which my colleague has alluded. Sir, the throes of the pulse of the great credit system, which ended in the revulsion, beat in the veins of the Bank of England. There, sir, you must always look for and feel it, for there it will be first felt. But it would not have been fatal here, if the State banks had not been guilty of the amiable error, to which my colleague alludes in such gentle terms, "of trying to make too much money for those who were entitled to it." In other words, they over-banked, and over-traded, and, like their unfortunate debtors, whose errors they begat, when called on, they could not pay. Fortunately for them, they are privileged debtors.

Whatever disputes may exist about the primary cause of distress, every man sees and feels that it is caused immediately by the contractions and expansions of the banks, and the suspension of specie payments by banks. This is palpable. He is no friend of the banks who advise them to become politicians, and to enter the arena of politics. I am a enemy to the banks; but I warn them that if they become politicians, they must share the fate of politicians. To be useful, to be faithful to their trusts, they must confine themselves to their proper sphere, and avoid both politics and usury. I warn them that the law makes a distinction between vested rights and vested wrongs.

Mr. President, it would be well for the State banks to take warning by the fate of the late Bank of the United States. It was assumed by its friends, and it is asserted daily here, that General Jackson made war upon it, and that its virtue and incorruptibility was the only cause of that war. I will not enter into the history of that war, but I will say that it is clear that this charge, which implicates both General Jackson and the then Secretary of the Treasury, Samuel D. Ingham, was never advanced until three years after the attempt was alleged to have been made upon the virtue of that institution; that such a charge is repelled, both by its staleness and the character of the Secretary, to say nothing of the character of Gen. Jackson; and I feel that it is due to the character of Samuel D. Ingham to say, that although I have differed with him on some subjects, yet, that his administration of the Treasury Department, able, upright, faithful, and independent, ought to have protected him from such a charge. Sir, gentlemen are stopped by the records of the people's voice, from renewing that old topic of declamation. The war was made by the bank itself, not of defence, but of offence, upon the pockets of the people, to extort from the sufferings of the people a renewal of chartered privileges. It was carried on by contractions and expansions; it stopped short, however, of the last resort of desperate valor, blowing up the ship; in other words, compelling all the banks to suspend specie payments. The war of that bank was like that of the genie, the son of the daughter of Eblis, and, like that genie, its pretext was that it had been summoned before the Amos to the people in breach of contract. It had the same power of metamorphosis. It assumed the shape of a lion, terrific and frightful; and when its lion-head was cut off, it changed into a scorpion, then a cat, next a worm, which pierced a pomegranate, the good old Keystone State. What is hereafter to be its fate, is hid in the mysteries of futurity; but it is easy to see, that if the pomegranate should, after all the extraordinary motions that the worm may make it perform, burst, that the worm will be found rolling on the
banks of a canal, whose waters it will seek as its refuge.

I concur, Mr. President, with those who believe that the interest both of the trading community and the banks will be best promoted by acting upon the principle of hands off, let alone. What have the merchants gained by becoming the allies of the Bank of the United States? What has their heroic devotion gained for them? The honor of being crushed under the wheels of the car of the Juggernaut of wealth, or being consumed upon the pyre which their own idolatry has raised.

Mr. President, one of the instincts of wealth is to gain political power. Its spirit is aristocratic, oligarchic, and monarchic, always worrying for privileges, and against equal rights. In the days of feudality, wealth consisted in lands, and that gave bank and power. That system was simply a system of concentric circles, rising from the serf to the monarch in its different gradations, each under the influence of the next, and all moving round a common centre—the king, as the paramount lord. But the people or serfs had no rights. That system was gradually worn away by wealth assuming a different form—that of gold and silver; but it was not finally destroyed until gold and silver invoked the aid of the magic credit or paper system. In 1693, the foundation of the much boasted credit system was laid, by the establishment of the Bank of England; and in 1720 it was expanded by the South Sea project and additional capital. History tells us, that both were opposed by the patriots of that day. Although the paper system crawled into existence in the humble guise of demanding eight per cent. interest on one million and a half, for half a million of gold and silver actually put in bank, yet all the beauty and benefits of the system were maintained there very much as they have been maintained here. Those who opposed the establishment of the paper system then, contended that it was calculated to enrich the few, and impoverish the many; that it would become a monopoly, and engross the whole money of the kingdom; that it must infallibly ally itself to political power, and be employed to the worst purposes of such power; that instead of assisting, it would weaken, commerce and trade, by tempting people to withdraw their money from trade, and employ it in stock-jobbing; that it would countenance the fraudulent and pernicious practice of stock-jobbing, which diverted the genius of the people from trade and industry; that it would allure people to part with the fruits of their property, by the vast prospect of gain it deceptively held out; that it would enable foreigners, by investing in their stocks, to withdraw from England their gold and silver; that it would produce a swarm of brokers and jobbers, to prey upon their fellow-citizens, encourage fraud and gaming, and further corrupt the morals of the nation; and, finally, that its large capital would endanger the liberties of the nation; by reason whereof they would be enabled to influence most, if not all, the elections of members, and, consequently, overrule the resolutions of the House of Commons. Those patriots also contended that, in all such public bargains, it ought to be made advantageous to the State, rather than to private persons.

What was then prediction, is now history. The great credit or paper system has changed the form of wealth, and has corrupted it. Wealth, under the feudal system, had its chivalry and its patriotism. It owned the soil which sustained it, and thus it was bound to its country, and its prosperity. The gallant barons, who paraded in armor at Runnymede against their King, were fighting for privilege; but in the conflict they accidentally struck, with their mailed hands, the rock of liberty in the desert of oppression; from which has flowed the purest fountains of the common law, whose waters nourish and sustain the liberties of man throughout the world.

The wealth of the credit or paper system has no chivalry, no patriotism, no country. It is a vagabond. Without any of the redeeming qualities of feudal wealth, it retains its worst instinct. It seeks political power with an appetite that never tires, and knows no bounds. The much boasted credit, or paper, or bank system, (for they are only different names for the same thing,) is only a modification of the feudal system, the system of privileges. The different banks which dot the maps of every State, are a system of concentric circles, each under the next in amount of capital, and moving around the common centre, the paramount lord, the money king, the feudal sovereign of banks. Where is that king to be found? In the Pennsylvania United States Bank in Chestnut street. Where must you seek its paramount lord? It is the Bank of England.

Mr. President, the fact cannot be disguised. Recent events have revealed it, and it has been acknowledged on this floor. The trade, the business, the prosperity of the United States, are no longer under the control of the constitutional agents of the people—the National Government. This credit system, as it now exists, has thrown us back to a more abject state of colonial vassalage than our ancestors endured sixty years ago. But they had a king, in all the pomp and circumstance of royalty, in name the Father of his People. I fear, sir, that we are to seek our king in the dark meanderings of Threadneedle street, in London; and there we shall find him enthroned on a three legsred stool, with a pen behind his ear, graciously pondering on the mysteries of usurpy and stock-jobbing; absorbed in the heartless selfishness of avarice, and intent upon the best mode of skinning his loving subjects.

What is the doctrine that we now hear? We are transported back to the days of feudality; take care of the lords and privileged classes, and they will take care of the people. But those privileged classes claimed to be the people, and the people were serfs. Now, sir, we hear the same cry: take care of the banks and the privileged classes, and they will take care of the people. The banks are the people, and the people are serfs; without rights, but derivative.

The same war-cry of aristocracy, too, is raised.

Agrarian, Jack Cade, Fanny-Wrightism, Loco-Focism, Revolutionism. It is the banner of aristocracy which bears these names, to alarm the timid, and summon its allies to the conflict.

Mr. President, the connection between the Government and the banks has been dissolved by the banks themselves. It is true, they have our treasure, our gold and silver. Shall we resume our
connection? Shall we, in consideration of the faithful manner in which they have discharged their trust of keeping our treasure, so that we could have it when we wanted it, give them all the monies we shall hereafter collect? They are graciously pleased to trust us to collect the money; all ask is to keep it after it is collected. I thank them for their modesty and forbearance.

I repeat the question, shall we choose agents to keep our money, or shall we delegate the choice to banks?

Our Government has now been fifty years in operation; so far, it has worked well. Our agents, chosen by the people, have been more faithful than the agents chosen by banks. We have lost no money by treasurers. Some of our collecting agents have been unfaithful; but they have been watched faithfully by the President and the sentinels appointed by the Constitution. We have had no President who was unfaithful, none impeached. I ask pardon, one has been impeached; however, not according to the forms of the Constitution, but by the Senate; accused by the Senate, tried by the Senate, condemned by the Senate. The impeachment has been reversed by the people, and the entry of the conviction expunged by the people from the records of the nation. That President, together with his successor, have, against all the laws relative to conspiracy, been presented before the Senate on this occasion as conspirators. But where is the proof, sir? It is, like the virtues of a quack medicine, to be found in the label of a speech, entitled the "speech of the honorable Henry Clay of Kentucky, establishing a deliberate design on the part of the late and present Executive of the United States, to break down the whole banking system of the United States, commencing with the Bank of the United States, and terminating with the State banks, and create on their ruins a Government Treasury bank, under the exclusive control of the Executive." I advert the man, however, who seeks for the proof of this conspiracy, in imitate the wisdom of the litigant, who commenced a suit for slander; and after the declaration was read to him, setting forth that he had been from his nativity, a good, true, and faithful citizen, of pure and unsuspected character, and never guilty of any such hurtful crime, by which he had deservedly acquired and enjoyed the good opinion of all worthy citizens—and being informed that that allegation was to become a record, professed himself entirely satisfied, paid his fees, and declared that he did not wish to proceed any farther. He was satisfied with the establishment of his character, by the averments in the declaration. He who seeks beyond the label of this speech, for the establishment of the conspiracy charged, will have good reason to admire the wisdom of the litigant, and the prudence of him who is content to admit the virtues of a quack medicine from the label, without further trial.

The policy of this bill, Mr. President, I believe is the best measure for the people. I should prefer confining this bill, simply, to the keeping, disbursing, and transferring the public money; and separating it from the currency part, because I think that they ought not to be blended; and I am opposed to that legislation which unites distinct subjects. But I shall vote for it with or without that separation. I will not treat upon the patience of the Senate, by entering at large upon the reasons for that vote. Permit me to allude to a few. I believe that this policy is the best and constitutional mode of performing the duty imposed upon us, of keeping the purse of the people by our own agents, the agents of the people, not the agents of the banks. That it will relieve the Government, "so far as their act can, from the action of any foreign power over the credit or banking system of this country, and the treasurers of the people from the use and control of banks; and make the Government, as the Constitution intended to make it, efficient, self-acting, and independent, and capable of fulfilling its benign objects, and high purposes," to form a more perfect union, establish justice, ensure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity." It will place the Treasury more immediately under the action and control of Congress, inasmuch as they must create the functionaries, prescribe their duties, examine into and control their conduct. It will operate favorably upon banks themselves; first, by breaking down favoritism, in selecting one or more, and excluding others from the benefits of the public money; and by counteracting the evil tendency of the banking system to centralization, or monarchy; or placing all power in the hands of the strongest, and of giving the places where such centralization is established, superior advantage over all other places. It separates the business of trade and banks—in their very nature, subject to fluctuations—from the fluctuations incident to the collecting, transfer, and disbursement of the public moneys, which cannot be counteracted by the wisest legislation. It will equalize the benefits of the Constitution, by providing that the money of the Constitution, its only standard of value, shall be the universal standard; the dollar of each State, from Maine to Georgia, shall have the same value.

If the Government receives paper money and shingles, they must pay them to their creditors. Ought the Government to be made to receive them from their debtors, unless they could compel their creditors to receive them? These, sir, are a few of the reasons which will constrain me to vote for this bill. A few words as to the objections which have been urged against the policy of this bill, and in favor of the antagonistic policy. It is said to be making war upon the credit system; and how? By taking from the corporation of banks the use of the public money. They must first establish that banks have a right to it. It is also said that it is creating one currency for the people, and another currency for the Government. How are these two currencies alleged to be created? Simply by declaring that the Government will receive from their debtors, and pay to their creditors, the money of the Constitution. That is acknowledged on all hands to be gold and silver—to be coined. How such an act can be said to create two currencies, is beyond my comprehension. The Government established by the Constitution was a hard money Government. The word currency is not
found in it: it was carefully rejected; and why?

Not because it was unknown, but because it was
known, and condemned. Currency then meant, as
it does now, paper money, made current, and deri-
ving its sole value, not from its intrinsic qualities,
but from authority. The framers of the Constitu-
tion had the ghosts of colony proclamation, State,
and continental money before them. They were
currencies, as were also the deer skins, mink skins,
and coon skins, of the State of Franklin. If these
were two currencies, who created them? Not Con-
gress. Every one knows what legal currency of
the United States means. The other currency is
created by the banks. They have, by their own
act, dishonored their currency, reduced it below
coin, which it pretends to represent; and having
not the coin of the Government and the people,
they want to force their aper and shipplasters
upon the Government and the people, as of the
same value as gold and silver, which they have
locked up in their vaults. The banks, by violating
their faith to the people, have debased their notes
below the standard of value fixed by the Constitu-
tion, and forced it upon the people; and then im-
pudence and fraud, the debased currency is the
currency of the people. Sir, one would
think that impudence could go no farther. It has
gone farther, and taunted the Government with
bankruptcy, created by the very act of the banks,
and branded the paper of the Government, which
such conduct made it necessary to issue, as ship-
plasters, or no better than shipplasters. The cur-
rency of the people is the money of their Constitu-
tion—gold and silver—metallic money. The cur-
rency of the banks is paper money of their own
manufacture, or their shipplaster allies, and this
they call the money of the people. They force
the people to pay for their own offspring, and now
insist upon their adopting it, and giving it its own
name. Sir, we have heard much of that
stringent, strict, and liberal adherence to the Con-
stitution, which seeks refuge from obeying the com-
mend of the people, in construing the instruction
of the Constitution to keep a journal into a mandate
preserve it intact—not to make a journal, thus
putting the cart before the horse. Where can
those literal gentlemen find warrant in the Constitu-
tion to receive two kinds of money, one of coin,
and the other of paper.

It is also objected that this bill increases Execu-
tive power. The reverse is the fact. Every one
knows that if a President wished to increase his
patronage, he would recommend the antagonist
policy. Who can read the evidence of the servility
and debasement of the banks in their applica-
tions for the public deposits, without being re-
minded of the subserviency of the Dutch to obtain
the spice trade. They renounced their religion,
and trampled upon its holy symbol. The sates,
cheque, lock, vault, and other modes of safely
keeping the public treasure, prescribed by this bill,
have been the fruitful subjects of declamation and
objection. Is not that the mode resorted to by
banks, merchants, and others who have money to
keep? Can any better mode be devised? If so, let
it be proposed; but until it is, shall the representa-
tives of the people discard what every one else
adopts as a safe mode. Rogues and thieves, who
want to break into the Treasury, would have a
right to object to such measures of precaution. Is
that a reason for us to reject them?

But the great objection of every opponent of the
measures, that it is an untried experiment Is it
true? What is now called an experiment? It is
either the mode of keeping the money, or the kind
of money to be kept. What is the mode of keep-
ing the money proposed by this bill? By officers
chosen by the people, under the Constitution, in-
stead of officers chosen by banks. It has been tried
for nearly thirty years in this Government. It is
now in successful progress in every State in the
Union. What are all the townships, county, and
State officers for collecting taxes, but Sub-Trea-
surers. It is the practice of every independent
nation in the world, nay, every petty corporation,
and friendly association in the world, have their
system of Sub-Treasuries. An experiment the
antagonist policy is an experiment, which has ended
not only in depriving Government, but the people,
of their money, the true standard of value. That
experiment has most signally failed. And the
money, is that an experiment? It is gold
and silver instead of money. The money of the
Constitution, instead of the money of the banks.
Can we choose any other standard of value in col-
llecting the people's money than the standard of
the Constitution? But I have done with these objec-
tions.

Suffer me, sir, to ask your attention for a few
moments to the substitute of my honorable friend
from Virginia, [Mr. Rives] which has just been
rejected. In the very able and eloquent speech
made by him in presenting that substitute, he re-
marked, that he regretted he should be deprived of
the support of members of this body, with
whom he had lately stood side by side in upholding
and defending the principles on which it rested;
and that his consolation was, that he stood now
where he stood then—that is, three years ago.
Sir, that we are to lose the support of that illustrious
Senator on this occasion is a subject of painful re-
consider. He has had, and has now, the confi-
dence, not only of myself, but of my constituents,
which was most eminently evinced on a late occa-
sion; and justice to myself, but of my constituen-
tions, which has ended
not only in depriving Government, but the people,
and friendly feelings, to overhaul the reckoning, and
ascertain the latitude of departure. I find the last
recorded sentiments of the honorable Senator in a
speech delivered on the removal of the deposits,
on the 17th January, 1834—a speech which would
give celebrity to any statesman of the hour:

"The honorable Senator from South Carolina has also told
us that so long as the Government do not keep away bank notes, it is an insult to the understanding to dis-
credit the proceedings of the previous tendency and unconformity of the Bank of the United States, that while the Government, by
so doing, treats bank notes as money, it not only was the right,
but it is in duty bound, to incorporate a Bank of the United
States, and that the question of the constitutionality of such an
institution can fairly arise only when the Government refuses
to receive any thing but gold and silver in payment of the
courts of law, without stopping at present to examine the cor-
rectness of the reasoning of the honorable Senator, (reasoning
which, to my mind, is entirely unsatisfactory, as much as it

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makes a great question of constitutional power to depend, not on the fixed and immutable provisions of the Constitution itself, but on the mere caprice of the General Government, in which the most important and vital provisions of the Constitution itself may happen to be overlooked or to do a particular thing, without stopping it. I say, sir, in examine this reasoning at present, I will say to the honorable Senator, that was the position of the government, and I must do it in the number, while admitting the importance of the object, declaring the task of its prosecution, I pledge myself to present this great issue in the shape in which the honorable Senator thinks it can be logically presented.

"Sir, of all the remunerative, social, political, or economical, required by the great interest of the country, that which is most urgently demanded, and which promises in its accomplishment, the largest results of utility, security, and public benefits, is, beyond comparison, the restoration of the Government to what it was in the formation of the Constitution to be, a hard money Government.

"We are to much in the habit, Mr. President, of regarding the evils of the paper systems, as necessary and inevitable, that being content with the delusive palliation of those evils supposed to be derived from the controlling supremacy of a National Bank. Nothing, in my opinion, is more demoralizing than that the great evil of that system, its ruinous fluctuations, arising from alternate expansions and contractions of bank issues, making a lottery, in effect, of private fortunes, and converting all speculative contracts and transactions into a species of gambling—nothing can be more certain than that these ruinous fluctuations, and we have a striking proof of it in the recent experience of the country, will never be diminished, by the existence of that branch public ascendency, that when it extends the State banks expand with it; if it contracts, those banks are squeezed, in self-defense. Whatever the fluctuation may be supposed to exist, in preserving the soundness of the currency, the object would be much more properly protected by a simple, sound, and solid foundation. The first step towards that return, is to let the Bank of the United States be law. Its acts being withdrawed; the convenience of travelling alone would immediately create a demand by the public creditor, to reduce to a multiple, and adequate security of contracting a uniform exchange. Measures may be taken to discourage and suppress the circulation of bank notes under a certain denomination, (ten or twenty dollars) which the effect would be, to produce another access to the metallic circulating medium. The ordinary channels of circulation being thus supplied with gold and silver, the Government would be prepared, without hardship to the public creditor, to require payment of its dues in specie; and thus realize a reform, than which none could be more deeply interesting, in every respect, to the safety and prosperity of the country."

"Sir, here is an object worthy to engage the most ardent of the patriot and statesman; and I feel persuaded, has not the public creditor, (o require payment of its dues in specie, of necessity seek safety under the protection of the United States to protect the league of banks of this country."

"Mr. President, I had another objection to that substitute; it was against equal rights. Out of upwards of eight hundred State banks, it selected twenty-five; thus constituting an oligarchy of banks. It establishes a bankocracy, which would of necessity seek safety under the protection of the money king in this country, and thus be brought under vassalage to the money king in England."

"Mr. President, I confute afiremen, the senior, with ability so eminently found for the public creditor, (o require payment of its dues in specie, of necessity seek safety under the protection of the United States to protect the league of banks of this country."

"Before I dismiss this branch of the subject, I will make one further remark. I deeply regret to have seen a motto on the speech delivered by my honorable friend from New York [Mr. Tallmadge] in defence of the bank, from an alleged charge against them made by the President. That motto is, "Out, damned spot; out, I say." [Mr. tallmadge here rose and said, that the motto was put on without his knowledge and consent."

"Mr. Wall resumed. I am happy to hear the avowal of my honorable friend. It could have been no friendly hand that put it there. Who that is acquainted with the works of the immortal poet of nature does not recollect that it is the agonized cry of conscience, when the body slumbered, for its own deeds, for friendship betrayed, hospitality violated, and confidence murdered.

"The other branch of the antagonist policy, Mr. President, proposes to create a Bank of the United States, to keep, transfer, and disburse the public money. Sir, the first question is, does the Constitution give to Congress that power? Clearly it does not give it as an express power. Nowhere do you find in the Constitution an authority to create a bank or corporation. If it exists, it must be an implied power. The distinguished Senator from Kentucky hunted what he with so much feliciry denominated that fragment power through every article, section, clause, and paragraph, of the Constitution; or a most brilliant infatuation it was, sir. It has immortalized him, and he could not find it. He has, it is true, found it since; but where has he found it?"

[Here Mr. Clay said that he had found it in the late war and the necessities of the country.]

"Mr. Wall resumed. I thought so, sir; he found
of the Constitution. That is no constitutional power.

Mr. President, I am free to acknowledge that I was supposed once that this question had been settled by judicial decision. A more careful examination has satisfied me, however, that I was in error on this point. The luminous and gigantic effect of Marshall, a man whose name I always pronounce with reverence, found that power in the clause authorizing Congress to lay and collect taxes; and when Congress had determined it was a necessary means to that end, no judicious could look behind that act. That decision set the constitutionality of the late Bank of United States. Before that power which sustained the constitutionality of a bank can arise, I must first declare that it is both necessary and proper to collect the revenue in that mode; that I am at liberty, and shall be called on to act in that subject, I will think of it. Congress has now so declared.

It is perfectly clear, then, Mr. President, that this great power must be looked for somewhere else. Is it in the clause authorizing Congress to regulate commerce, &c. The argument of the Senator is able and ingenious upon the subject. At present I do not intend to express my opinion as to the power of Congress to regulate the currency of State banks. It is a subject too weighty, and of two grave import, to be decided collaterally.

But, Mr. President, admit that the Senator from Massachusetts has proved that Congress has power to regulate the currency of the country, and that it is a duty of our power to do so. What kind of power is it? It is undeniably an implied power, a delegated power, and a trust power. Can we delegate that power to a corporation, either created by ourselves or by a foreign power, to be exercised, controlled, and regulated by officers unknown to the Constitution? Can Congress delegate that power to State banks as a United States Bank?

The honorable Senator, after all, if he has been successful, has only proved that Congress has power to create a Government bank, that monster that has so horribly afflicted gentlemen in the Opposition; he has only proved that Congress has power to create a people's bank, with the people's money, and for the people's use; and to be controlled by the electors of the people, chosen agreeably to the Constitution.

When the honorable Senator finds the constitutionality of the power in Congress to regulate the currency, he has not advanced one step in his argument. He must still prove that Congress can delegate that power, and that companies unknown to the Constitution can thus be amenable to the Constitution. That we can withdraw ourselves from our constitutional duty, and substitute corporations to discharge it, is not only impossible. It is not at liberty to give it that consideration. It was settled both by the people and the Legislature of the State which I have the honor in part to represent, in every way that the voice of the people of New Jersey could be constitutionally declared, to vote against any Bank of the United States, such as proposed by the Senator.

1. The people settled it on the re-election of General Jackson.
2. It was settled by the Whig Legislature of 1832, in their abortive effort to instruct.
3. It was settled by the voice of the people, in the election of the members of Congress in 1832.
4. It was affirmed by the people, in the election of State officers in 1833.
5. It was declared expressly by the instructions of the Legislature in 1834.
6. It was again affirmed by the State elections and the election of members of Congress in 1834.
7. It was again affirmed by the election of the members of the State Legislature in 1835, with express reference to the election of a Senator.
8. It was settled both by the people and the Legislature in electing me as Senator.
9. It was again affirmed by the Legislature in plain and explicit terms in the instructions of 1835.

And what can be advanced to gainsay this array of facts? Nothing, sir, but the election of electors and members of Congress opposed to the present Administration in 1836, and the election and resolutions of the present Legislature. Now as to the first, the election of members of Congress; the only one of the elected members who expressed any opinion on the subject [Mr. Halstead] was compelled by the pressure of public opinion to give a written pledge, that, if elected, he would vote against a Bank of the United States. I know, sir, that he has since voted differently, and told his
bodies want is confidence. Their misfortunes have
This pledge takes away any implication that the
rejoice, therefore, that my own judgment and con-
tribunal that has ample jurisdiction to determine.
I made that pledge to them when I was elected Senator. Now I am com-
pleased to act, and have no alternative left, without disobeying the instructions of the Legislature and the voice of the people, but to vote for this bill. I
rejoice, therefore, that my own judgment and con-
ience sanction that course.
Mr. President, it has been said that all that the banks want is confidence. Their misfortunes have
drew themselves from politics, more within their
chartered orbits, avoid usury and oppression, and
they will be safe. If they have lost confidence, it is
by their own act, not by the act of the Govern-
ment. They must regain confidence by their own act. They lost confidence by suspension; let them
regain it by resumption. When they do so, sir, they will find confidence coming to their aid, and
that the raw-head-and-bloody-bones of loco foci-
ism, which has frightened them from their propri-
ity, has no terror for honest, faithful, and patri-
otic banks.
My colleague has said that the very name of
Sub-Treasury is odious. I will not quarrel about
names. Let us borrow from the great vocabulary of
used-up names and call this bill "the American Consti-
tutional Treasury system," and that objection
ceases. It is more appropriate, and a better name, and I present it for his adoption.
Here, Mr. President, I would willingly stop; but
I am not permitted to do so. My colleague has
placed the resolutions of the Legislature of New
Jersey, in 1837, in the foreground of his speech,
and professed his fidelity to the wishes of the peo-
ple of New Jersey. He has declared that they
want only the little word instruct, to be instructions.
I had borne the allusions of the distinguished Sena-
tor from Kentucky, and the other Senators acting
with him in support of the antagonistical policy,
the most exemplary forbearance.
In the course of my speech demands that I should ask the indulgence of the Senate while I recount to them the rise and progress of the doctrine of instruction in New Jersey. It will be found sufficiently curious to reward their attention. Sir, the Legislature of New Jersey have always been an instructing
Legislature. It was so up to 1832.
On the 29th October, 1839, my colleague, then
Governor of New Jersey, delivered an inaugural
address. Among other things he took occasion to
say:
The people of New Jersey have two Governments equally
powerful, equally bound to protect their rights and interests; and they have divided their sovereignty
between them; and they have set limits to these powers in both
them; and they have set limits to these powers in both
State, and local questions. The nominations in the
different counties were all made before the Presi-
dent's Message, and the Sub-Treasury bill was
never published and known in the State before the
election terminated. I do not believe that the peo-
ple did, by that election, instruct their agents here, or
mean to declare their opinion as to the policy of the
General Government. They were suffering under
the pressure created by the suspension of the banks.
There are, then, but two policies presented for
my choice; the one contained and carried out in
this bill, and the other to charter a Bank of the
United States. The Legislature of New Jersey
have declared that it is not only the right, but the
duty, of Congress, to provide for the safe-keeping
and disposition of the public money. I am com-
manded, by the voice of the people of New Jersey,
and the instructions of the Legislature of New
Jersey, still in full force, not to vote for a Bank of the
United States. I made that pledge to them
when I was elected Senator. Now I am com-
pelled to act, and have no alternative left, without
obeying the instructions of the Legislature and the
voice of the people, but to vote for this bill. I
rejoice, therefore, that my own judgment and con-
science sanction that course.
their wanderings and errors. But that duty is not appointed to
be, the power does not exist in us, any more than a higher
power exists in the representatives of the general will, to con-
trol and correct a will of any sort at all. It is not to be
obtained by the Council; it can only be so if it be thus written in the grant;
and there I do not find it.

On the thirteenth of the same month of October
the following instructions were introduced into the
House of Assembly, and passed on the first of No-
vember following, by a vote of thirty-one to four-
teen, even in voting for them:

Whence the people of New Jersey feel a deep interest in
all things affecting the welfare of their common country, and
particularly in every measure having relation to the judiciary, the
maintenance of each in all their inviolability is
deemed essential to the prosperity of the United States.

The Governor, therefore, resolved, that our Senators in
Congress be instructed, and our Representatives in Congress be requested,
to use their best endeavors to maintain the present judiciary
system of the United States unimpaired; to give adequate protec-
tion to American industry; to foster and uphold internal im-
provements, and to vote for and advocate the renewal of the
Bank of the United States, with such modifications as may be
thought necessary.

These resolutions, however, were never finally
acted on by the Council, and they perished between the
two houses. But while these instructions were
pending before the Council, Governor Southard
sent a message, on the 10th of January, 1833, to the
Legislature, from which I ask leave to read
some extracts:

"Some of those interests of the people of New Jersey, which
have been confided to the General Government, are in a condi-
tion which calls for attention and consideration."

The Governor then enumerates those interests.

They are the judiciary, the tariff system, internal
improvements, and the currency of the country;
the very interests specified and enumerated in
the instructions then pending before the Council. He
then proceeds:

"Some of the most valuable attributes of the Government
which have given it strength, confirmed the Union, and made
it a blessing, especially to the weaker members, are questioned,
and their exercise deprecated. Even the supremacy of the
laws, and the authority of treaties, are disregarded. Whether
these things can give promise of good to the country, and pro-
mote the happiness of the people, the Governor desires to
declare; and it would seem to be expedient that
their opinions upon them should be known and felt through
those who represent them."

My colleague ceased to be Governor, and be-
came Senator Benedict, when he was accused
of having sailed against matrimony, defended him-
self, by saying that he then did not believe that he
should ever live to be married. So my colleague
has reason to say, that when he recommended in-
structions for others, he did not believe that he
should ever live to be instructed. Even-handed
justice returned the chalice to his own lips.

On the 11th of January, 1834, the Legislature
of New Jersey, both houses concurring, by a very
large majority, passed the following resolutions:

Whereas the present crisis in our public affairs calls for a
decided expression of the voice of the people of this State;
and whereas we consider it the highest right of the Legis-
lature of the several States to instruct those who represent
their interests in the councils of the nation in all matters
intimately connected with public well and may affect the hap-
iness or well-being of the people: Therefore,

"1. Be it resolved by the Council and General Assembly
of this State, That, while we acknowledge, with feelings
of devout gratitude, our obligations to the Great Ruler of
nations for his mercies to us as a people, that we have been preserved
and favoring us with the favor of an internal war, from the
handiwork of designing and ambitious men, who
would prostitute the fair fabric of our Union; that we ought,
nevertheless, to express our sense of the perpetuation of our Republican institutions, and
for a continuance of that unexampled prosperity which our
country has enjoyed hitherto.

"2. Resolved, That we have unalloyed confidence in the
truth and firmness of the venerable past; that it holds the distinguished part of chief magnificence of this nation,
and whose purity of purpose and elevated motives have so
often received the unqualified approbation of a large majority
of our fellow-citizens.

"3. Resolved, That we view with agitation and alarm the
existence and gigantic power of a great moneyed incorpora-
tion, to which the government has been intrusted to
express the will of the country, to scatter distress and ruin
through the community; and that we, therefore, solemnly
believe the present Bank of the United States ought not to be
rechartered.

"4. Resolved, That our Senators in Congress be instructed,
and our Representatives in Congress be requested, to
use their best endeavors to maintain the present judiciary
system of the United States unimpaired; to give adequate protec-
tion to American industry; to foster and uphold internal im-
provements, and to vote for and advocate the renewal of the
Bank of the United States, with such modifications as may be
thought necessary.

These resolutions were presented to the Senate
on the twentieth of January by my respected pre-
decessor [Mr. Frelinghuysen]. On the twenty-
seventieth of January, that gentleman addressed the
Senate, and among other things, said:

"I know that I shall have the sympathies of the Senate, when
I recall to them the instructions lately transmitted by the
Legislature of the State which I, in part, have the honor to repre-
sent. This is a great national question, of common concern to
all; for these instructions are multiplying, and call certainly
from me, sir, for distinct and respectful notice. The import of
these instructions I, doubt, after all, are unequivocal and plain to any apprehension. They instruct us to sustain, by our votes and influence, the course of the Se-
cent in the Treasury, and the course of the Secretary in the removal of the
deposits from the Bank of the United States.

What are the nature and claims of legislative instruc-
tions? That a Legislature has the inherent right, legislatively
and detached from their censes, to direct the political conduct
of a Senator in Congress, I can never subscribe to. Sir, where
has such a right been delegated by the people? A Legislature
of the State instruct or direct the Senate of the United States!
Why, Mr. President, we had better change places at once. But
when the resolutions of the Legislature can be satisfactorily
regarded as the clear indication of public sentiment, deliberate
and abiding; I am bound to hold them, as I do hold them,
most respectfully considered. And on such an occasion, when
that opinion interferes with my own judgment and conscien-
tance, I should promptly surrender a trust that could not be
borne in harmony with my nature and principles. The term
embarrassment commences. I am not satisfied that these resolu-
tions are the sure index of decided public sentiment. Sir, you
have been in the service for the last five years, our political atmosphere
has been very much given to change. The wheel is turning now,
and unless I misread the language of events that are passing,
impulses are given to its motions that will bring them to a whif-
fl. Now, sir, will it be right to surrender private convictions of
duty to an influence from this giddy seat of power? I think
not. I am quite cognizant of the delicacy of my position, but
I trust that I shall meet it without fear. I will further say, sir,
that even where the opinions of a State may be well known,
these instructions are an inoffensive, or permissive, or the pre-
rogative of the people; and when the emergency is of such deep and
substantial nature — when he must go, and go, to speak, in the purity of his own
conscience, and as himself, to the confidence of his country, into the crisis, and sink or rise, success
shall crown his internal conduct.

On the fourteenth of February, 1834, my col-
league, in presenting a memorial to the Senate,
said:

"I had believed, and I was of the same opinion, still, that
the right of private communication, and the receiving which had been for-
warded to him, had greatly erred in these cases, and other
public woes; and he had now in his hand two of the evidences
of his error. Uninstructed, then, as he had been, by the Legis-
lature of the State to vote for what he conceived to be our
public interest, and charged by those who elected that Legislature
to oppose such usurpation, he had a conjunctural reflection, in
the conviction that the course he had pursued would be sus-
tained by a majority of the people.
On the twenty-first of March, 1834, my colleague, in a speech delivered in the Senate, said:

"There is another tribunal before which we [himself and his colleague, Mr. Frazinghley,] shall meet most cheerfully our accusers, and as cheerfully abide the verdict and judgment which shall be pronounced after a fair hearing, so far as may affect us personally, however we may feel for the laws and institutions of our country. That tribunal is the people of New Jersey. As we do not believe, and think we have abundant evidence for our belief, that the Bank of the United States is not engaged in furnishing arguments to color disobedience and contumacy, that tribunal is the people of New Jersey! That was the security for the observance of the resolutions. The Bank of the United States had no business to make such resolutions.—but the resolutions which the Bank of the United States voted, or had voted, in the House of Representatives, were so. That was the Bank of the United States! That was the tribunal by which we were bound. We ought therefore to have.with such a tribunal, and to our constituents. Where was then the recusant Senate? Their eloquent tongues were mute, if not engaged in furnishing arguments to color disobedience and contumacy."

Mr. President, an issue was thus fairly formed between the Legislature of New Jersey and my honorable predecessor and colleague. It was tried before that great tribunal which they selected in October, 1834. They had a fair hearing, for they both attended public meetings of the people in different parts of the State, and no one appeared against them. They rendered a verdict and judgment against them. They elected a majority, if I recollect right, of the friends of the Administration and the principles involved in the instructions—at all events, a large majority. The wheel did not come to a whirl that year.

How did my colleague and my predecessor fulfill their pledge to the people? Did they obey, or resign? Let the records of this Senate speak.

But the legislature of that year gave them leave to impartial. They did not instruct.

In October, 1835, a new election for members of the Legislature took place, and by their duty to appoint a Senator in the place of my predecessor, whose time expired on the 3rd of March following.

It is well known to the people of New Jersey that the name of my predecessor and my own were put before the people of New Jersey as opposing candidates for that office, and both were put in nomination by the Whig party. I, sir, was not selected for any particular affection which they entertained for me, but to gratify other feelings. I was held up before the public in such odious colors that I had not the option of declining the high honor, had I been disposed to do so, without compromising my own honor and character, and that of my party. Sir, I should not have been a candidate at that time had I been left to my own volition, although it was the only office I desired: my own affairs required my attention. I became thus the representative of the principles of the instructions of 1834, and the friends of those principles triumphed by a large majority. The question was submitted directly to the people, and they gave judgment. I am here to carry it into effect.

The Legislature of 1835, the same which elected me as Senator on the 7th of November, 1835, passed the following resolutions:

1. The resolutions, by the Council and General Assembly of the State of New Jersey, that our Senators in Congress, and they are hereby, instructed, to vote for, and use their influence to have expired from the journal of the United States Senate the resolution passed on the 26th day of March, 1836, declaring that the President, in the late Executive proceedings in relation to the public revenue, had assumed upon himself power not conferred by the Constitution and laws, but in derogation of both; the same having passed the body without warrant of law.

2. Resolved, That the Senators in Congress, be, and they are hereby, instructed, and our Representatives in Congress requested, to vote against the recharter of the Bank of the United States, and against the chartering any other bank or similar institution.

3. Resolved, That the particular attention of our Senators be called to the foregoing resolutions, and that they be respectfully requested to conform thereto, or resign their seats in the Senate of the United States.

4. Resolved, That our Senators and Representatives in Congress be requested to lay before Congress the foregoing resolutions.

5. Resolved, That the Governor of this State be requested to forward a copy of the above resolutions to each of our Senators and Representatives in Congress, at the opening of the next session.

I came here, Mr. President, with these instructions in my hand, coming fresh from the people, and iterated and reiterated both by the people and the Legislature. What were they, sir? That the people and Legislature of New Jersey had united confidence in the integrity and firmness of General Jackson, and in his purity of purpose, and elevated motives. That the Bank of the United States had disturbed the currency of the country, and scattered distress and ruin throughout the community, and ought not to be rechartered. That the removal of the deposits was constitutional and required by the public good, and that the Senators of New Jersey, were required to sustain, by their votes, the course adopted by the Secretary of the Treasury in relation to the public revenue, had assumed upon himself authority and power not conferred by the Constitution and laws, but in derogation of both.

The resolutions of 1835 instructed the Senators to vote for expunging that resolution, as not warranted by law. It had been supported by those Senators in defiance of the clear and decided expression of the people and Legislature of New Jersey, under the assumption by them, that the legislative resolutions were not in conformity to the will of the people. The people and the Legislature desired those Senators, if they could not obey, to resign. Although pledged to resign in such an event, they would neither obey nor resign. New Jersey then had no voice on this floor, though, she spoke in instructions. Where was then the solicitude of the honorable Senators from Kentucky, and the other Senators on this floor, who now so insistently speak for the choice of the people of New Jersey? Their eloquent tongues were mute, if not engaged in furnishing arguments to color disobedience and contumacy.

Sir, we have seen that the recusant Senate is left...
issue before the people of New Jersey upon these great questions; that they pledged themselves to abide the verdict and judgment of that tribunal, and surrender their offices if it passed against them. Did they do so? No, sir; and what was the ground assumed by my colleague to justify his non-fulfilment of his pledge? It was, that instructions were not binding, and that the command to expunge was unconstitutional. But he had estopped himself from making any such defence. In his inaugural address as Governor of New Jersey, made on the 29th of October, 1834, a part of which I have read to you, as if to provide for the very case, he declares, in speaking of constitutional obligations:

"But my own judgment is not to be deemed infallible. The will of the officer is not the Constitution. The people of New Jersey made the Constitution. They have a right to say what was their meaning; and when they have said it, either by themselves or their constitutional agents, their decision is binding even upon the consciences of those who have to act for them. If there be error in the decision, the remedy is not to be found in disobeying or disregarding it, but by seeking in the proper channels of constitutional correction the remedy of the constitutional error. A different course savors of presumption. It is unbecoming in him who is but a fiduciary, whose office was not created for his own good, but for them and their interests—-is an agency under the people, the great principal."

This, Mr. President, is the history of the doctrine of instruction in New Jersey, as believed in, and practiced by both parties. My honorable colleague was supposed to be the founder of that school, but he treats his scholars very much as the Prince of Denmark treated the courtier Poulionis. Instructions are like a cloud, which first assumes the shape of a camel, then a weasel, and finally, "is very much like a whale."

But, sir, his school is not original; he has undoubtedly borrowed from the horn book of the honorable Senator from Kentucky, [Mr. Clay.], who says that he believes in instructions under certain qualifications. What those qualifications were he has not told us; but it is fair to infer, from his practice, that one qualification is, when he likes them, or when they please him.

Mr. President, upon the subject of instruction I acknowledge that my colleague has the advantage of me. He is the best instructed Senator in this body, and if he obeys resolutions, it is claimed as a merit; and if he disobeys plain, positive instructions, stands recusant for three years, promises a nod to a blind man. I protest against the right of such men to prescribe a creed for me. An infidel is not a safe teacher of the doctrines of Christian sects. On this subject I claim the privilege of being bound by my own creed, and the creed of my friends, so far as I have adopted it; and that my consistency should be determined by its conformity to such creeds. I mean not to impose a creed on others, but I do claim the privilege of forming my own.

Now, sir, what is my creed on this subject? The only one that I have publicly avowed is, that the representative is the constitutional organ of the public will in the choice of President and Vice President, and that he is bound to conform to the voice of his constituents when lawfully expressed; and that he cannot look behind the electoral record. Upon this subject I may claim the merit of consistency, however heterodox may be in a case where all my feelings and personal preferences were in opposition to the choice of my constituents. I allude, Mr. President, to the occasion when I was so unfortunate as to be compelled, by my adherence to that creed, to record my vote for another, instead of yourself, for the place you now fill. Much misunderstanding prevailed on that subject, and I was complimented by a respectable clergyman in my neighborhood for my independence. I wrote him a letter on that occasion, which I ask the permission of my Senate to read, as it will best explain my views in respect to my representative duty. [Here several Senators called out, "permission read it."] Mr. W. resumed. I am grateful for the permission. The letter is addressed to the Rev. Mr. John Plotts, at Mount Holly, and is dated, and was written, in this Chamber, on the 17th of February, 1837.

"Yours of the 14th instant was received by me this morning, and to prevent any misconception of my vote for Mr. Granger, I hasten to answer it. My vote was not given for Mr. Gilmer, because I had any scruples about voting for Col. Johnson. On the contrary, Col. Johnson was my choice. I voted for him at the electoral election. That vote was my own, I believe that Col. Johnson was a brave, patriotic citizen, who was but a political opponent, who would have been a murderer of life, and I therefore declared to the country, and to those who heard me, that I was not bound by my own creed, and that I was not bound to impose a creed on others, but I do claim the privilege of forming my own."

Mr. President, upon the subject of instructions I do not intend to go into an argument on that subject, but I will answer the objections which have been made to me on that subject. Upon this subject I may claim the merit of consistency; and if Col. Johnson was a brave, patriotic citizen, who was not bound by a political opponent, who would have been a murderer of life, and I therefore declared to the country, and to those who heard me, that I was not bound by my own creed, and that I was not bound to impose a creed on others, but I do claim the privilege of forming my own.
the electoral vote of their States; that this was necessary upon the principles of our Constitution, which enables the small States to resist the overwhelming force of numbers in the large States; that it resulted from the very nature of representative Government, which makes use of agents to carry into effect the will of the people, not their own.

I will now proceed to illustrate the doctrine of instruction and obedience. I believe that where the opinion of the people is fairly and constitutionally expressed, that the agent is bound to obey; that this doctrine of instruction has its limits and restrictions, and the duty of obedience may be controlled by circumstances, yet that the instrument of its abuse, nor shall it be proscribed, both here and in their own Legislature, to their common interests, and in the constitutional mode. I have always repudiated the doctrine which those who do not believe in instructions put forth to disgrace the doctrine of instructions—that every election for a constable or other local officer, or for members of the Legislature, is an instruction to the agent of the people in the National Legislature—in short, that the representatives of the people here are to become political automaton, weathercocks, and turn north, east, west, or south, as such elections should point.

Mr. President, while I acknowledge the duty of obedience to instructions, it is right for me to say that I do not acknowledge the right of the Legislature to play with it as wax, and to mould it to any form. I will not be made the instrument of its abuse, nor shall it be prostituted to fraudulent purposes through my aid. I am no Jew, and do not believe that if my enemy disregards the Sabbath and makes war on me on that day, that the command to keep it holy forbids self-defence. I now announce that, if those who do not believe in the doctrine of instruction, but trample it in the dust and laugh it to scorn, attempt to destroy my political friends and principles by fraudulently availing themselves of our reverence for that doctrine, that they will not find me disarmed or unprepared for defence. I will not lend myself to any purpose to make the doctrine a sword for its enemies to destroy its friends, or a shield to save the enemies of the doctrine from all
possibility of hazard. If they mean to blow hot and cold, they must select some other person to try that experiment upon. Now, Mr. President, let us see what the resolutions of the Legislature of New Jersey are, which are said to want only the little word instruct to make them instructions. So a statue may be said only to want vitality to make it speak. With your permission I will read them:

"Whereas it is the right and duty of the people to express their opinions in relation to public measures; and whereas the peculiar and important advantage which our public affairs present by demanding an expression of the sentiments of the people of New Jersey. Therefore

Be it resolved, That the Council and General Assembly of this State, in the constitutional right and duty of Congress to provide for the safe-keeping and disposition of the public treasure; and any act of the Executive whereby it is removed from the custody of those to whom Congress have committed it, is a violation of law, and a dangerous abuse of power.

2. And be it resolved, That the resolution of the Senate of the United States, of the twenty-eighth of March, in the year of our Lord one thousand eight hundred and thirty-four, which declares Congress, in the Executive proceedings in relation to the public revenue, assumed authority and power not conferred by the Constitution and laws, but in derogation of both, is an illegal and invalid resolution of this Legislature. We regard the expunging of that resolution from the journal of the Senate, as an open infraction of one of the plainest provisions of the Constitution, and a direct and open assumption and exercise of the right of the National Executive, which regard all executive officers, and especially those to whom the public monies are committed, and, in the conduct of the public business, by whom he may be on all occasions control and dismis at his pleasure, are inconsistent with the Republican principles of our institutions, an assumption of power not warranted by law, and an exercise of the right of the National Executive, and tend to the establishment of arbitrary Government.

3. And be it resolved, That the claim and practice of the National Executive, which regard all executive officers, and especially those to whom the public monies are committed, and, in the conduct of the public business, by whom he may be on all occasions control and dismiss at his pleasure, are inconsistent with the Republican principles of our institutions, an assumption of power not warranted by law, and an exercise of the right of the National Executive, and tend to the establishment of arbitrary Government.

4. And be it resolved, That the circular letter from the Treasury, by direction of the Executive, was not justified by law, inexpedient in relation to the currency of the country, unjust in its operation on different sections of the Union, and in violation of the constitutional rights of the States and the people.

5. And be it resolved, That the removal of the public money from the custody of which the law of the land requires them to be kept, and where they were safe and available at all times, their deposit in banks, not selected or authorized by Congress, or capable of performing the duties of fiscal agents of the Government; the encouragement to them by the administration to enlarge their discounts and circulation, and in consequence the paper money of the country; the consequences of an increase in the circulation of both paper and specie of the country, and thereby control at pleasure, and destroy, the circulating medium, created by the States; and it may be used as a most dangerous distinction between the people and those who hold public office, inasmuch as the latter will receive for their salaries, and in payment for their services, as well as for their actions, the labor of the people; may be paid in less valuable paper, which the people cannot convert at pleasure into specie. And this passage is a special bankrupt law, applicable to State banks, because it violates the spirit of the Constitution of the United States, is partial in its application, and interferes with the acknowledged rights of the States; inasmuch as it assumes to the General Government the power to dictate the terms on which corporations created by the States shall be regulated and destroyed.

6. And be it resolved, That we regard these measures as ruinous to the best interests of our country, and dangerous to the existence of our Republican institutions; and we declare our solemn conviction, that they are decidedly disapproved by the people of this State; and that our representatives in both Houses of Congress will most earnestly and solemnly protest against—

10. And be it resolved, That in his unwavering opposition to the foregoing measures, his patriotic and unshaken support of the above recited, but intercepted by an invasion and an immediate attack on the rights and interests of the States and the people. The Hon. Samuel L. Southard has discharged the duties of the Executive, and the patriotic and generous spirit entitled himself to our highest respect and warmest gratitude.

11. And be it resolved, That the conduct of the Representatives of this State, in the present House of Representatives, merits and receives our decided and hearty approval.

12. And be it resolved, That the Governor be required to transmit a copy of these resolutions to each of our Senators and Representatives in Congress, with a request to present the same at both Houses.

No man, sir, will seriously pretend that these are instructions. They are the mere declaration of what the Legislature profess to believe to be the voice of the people of New Jersey, respecting the policy of the General Government. They contain no command, there is no manly assumption of responsibility; no generous confidence in avowing these opinions, which relieves the agents of the people here from their responsibility to the people. Why did they not instruct, if they so meant? Was it because they were ignorant of the difference between instructions conveying the commands of the Legislature, and resolutions professing to declare the opinions of the people? I have shown that the records of the Legislature abound with precedents. Was it because they considered them identical? I have shown that where Legislatures instruct when they so mean. Was it because they could not instruct without trampling upon the reputation of the Senator whom they meant to applaud? If so, it ought to have admonished them not to play with edged tools. But why speculate on this subject? I turn to the tenth resolution, which applauds the conduct of my colleague as a statesman and a patriot, as one which 1 view as decisive upon the subject. I ask, sir, could any Legislature found be that which, give instructions to Senators, and, in the same breath, pour out unmeasured praise upon a Senator who had stood, for more than three years, in open, repeated, and renewed, disobedience to the instructions of the Legislature and the voice of the people of New Jersey, who had the "presumption" to appear from the Legislature to the people; who had had two fair trials, both before the Legislature and the people,
had promised obedience, and had, after all, disobeyed? Why, sir, it is a degree of inconsistency that amounts to fatuity. By the besin principles of the common law, no man can be permitted to stultify himself; and the Legislature of the State which I have, in part, the honor to represent, shall not do so, with my consent. My honorable friend from Pennsylvania [Mr. Benton] may look to the immunities of legislative bodies on the other side of the Delaware. It is no concern of mine the use of the United States Bank, and repudiated the taking the moneys of the United States from General Jackson—the removal of the depository, manfully express what they meant, or that the conduct of those friends had constrained them "no palter in a double sense"—to attempt by indirection what they had not the manliness to do directly; in short, sir, it assumes that they would not instruct, because they knew I would obey, and thus defeat malignity. And therefore they fraudulently contrived resolutions which they knew were not instructions, but intended to wear the form, without the substance, and thus place both my colleague and myself in false positions, and let loose upon me the cur dogs of party.

Mr. President, I do not view these resolutions as instructions. I cannot do so without stamping the Legislature with fraud and dishonor. I shall continue in that opinion until some one of that Legislature avows that they were so intended, under his own name, and I will then bring him before the tribunal of our masters to answer for the fraudulent use and abuse of legislative trust.

That these resolutions were not designed as instructions to me, is further confirmed by the history of the day. It is well known that the poetical gentleman who introduced them, and who, no doubt, considered that he held the breath of his nostrils the issues of political death and immortality, would not even "breathe my name," but committed it to the awful punishment of letting it "rest in the shade." He would not suffer it even to be breathed in connection with these immortal resolutions. Another, and a conclusive, reason why they were not designed as instructions, is, that both the Legislature and the people of New Jersey had, on two different occasions, sanctioned and confirmed that part of the policy of the General Government which related to the administration of General Jackson—the removal of the depositaries, the taking the moneys of the United States from the use of the United States Bank, and repudiated the resolution of the Senate of the twenty-eighth of March, 1834, as not warranted by law, and commanded their Senators to vote for expunging that resolution. In fact, all the measures repudiated by the resolutions in question had been previously sanctioned by the people of New Jersey. If it were true, which I do not believe, that the people had changed their mind on these subjects, I do not believe that the people who selected me as Senator, and at the same time commanded me to expunge that resolution, would afterwards disavow the act, censure me for my obedience, and shower thanks upon my colleague for disobedience. What a stain would such conduct be upon the unsullied honor of New Jersey! What could purify the doctrine of instruction from such disgrace, contempt, and infamy!

Sir, I have another reason for believing that these resolutions were not designed as instructions, and that arises from my modesty. I do not believe that the Legislature intended to put me on the road to honor by these resolutions; to place me in the way of entitling myself to Legislative thanks, by the merit of disobedience. Do you not perceive, sir, that if my colleague obtains honors by disobedience to instructions, that disobedience is merit, and that I can win honor in the same way? Surely, sir, it would be doubting the justice of the Legislature to suspect that, if disobedience was meritorious in my colleague, it could be less so in me. No Legislature would render itself odious by making fish of one and flesh of another Senator.

No, sir: they are not, and were not designed to be instructions. They are simply a Whig creed. It is well known, sir, that that party is composed of discordant and heterogeneous materials; and they want a common standard for action here and at home. They applaud their representatives in Congress for their conduct at the extra session in doing nothing, and opposing every thing. Here they present them a little book for their future guide, in their arduous duties of opposition. Now, sir, this creed teaches me to believe that every thing that General Jackson has done for the whole period of his administration, and every thing that his successor has recommended, or will recommend, is wrong. Sir, I have a very great respect for the Legislature of my native State, and the gentlemen who compose it; but they must excuse me. They believe too much for me: I cannot believe up to their standard. Besides, sir, I have just enough of the Quaker blood in my veins to reject creeds which are made for me. I do not believe in the right of any body of men to frame and fashion a political creed for me, or to order a faith for me. I look upon my own faith as best, and shall adhere to it until better advised.

Sir, we have heard much of the spoils party. It has been a fruitful subject of declamation; but the great Whig party, while they condemn it, adopt its principles. Wherever they get power they make a clean sweep from the highest to the lowest, and they reward the faithful. My own Legislature, I understand, did snub business in that way, relieving the distresses of some eight hundred or a thousand of the new recruits in the ranks of the spoils party. But the effort to impose a creed on the vanquished, is going one step beyond the atrocities of the odious spoils party. Not content with stripping all those of office whom they can, (for when did they ever spare a victim,) here is an avowed effort to make
those who are beyond their reach undergo the ignominious punishment of the yoke; an attempt to impose a creed upon them—to make them put on the livery of the conquerors, and get up behind their triumphant coach. I will wear no livery but that of the people.

Mr. President, this attempt by the victors to impose a creed upon the vanquished, is a novelty. It is not Republican, for Republicanism teaches "that error of opinion may be tolerated while reason is left free to combat it." It is not Christian, for Christianity teaches charity of the Mahometan and Turkish creed which is now sought to be introduced into the politics of this country; a creed which teaches that to the victors belong not only the spoils, but also the right of imposing their creed upon the vanquished. I am not prepared to turn Turk. I shall remain true to my friends and my country.

I sincerely thank the honorable Senator from Kentucky, and the other Senators who have manifested such zeal for my conversion. I have no doubt it arose from the most kindly feelings to propagate the true faith on the doctrine of instructions; and I would therefore recommend that they should unite their efforts upon the honorable Senator from South Carolina, [Mr. Preston] who is in the same unfortunate situation with myself. If he should become their neophyte, I will think of beginning to take lessons from my honorable colleague. I will owe my conversion to no other hands.

Mr. President, I have a few remarks more, and I will cease to tax your patience. It is always with unaffected reluctance that I speak about myself. I am, however, compelled to do so.

The distinguished Senator from Kentucky, [Mr. Clay,] who plays many parts here, and always with eminent ability, the other day, in striking at friends and foes, spoke of my Federalism; and my honorable colleague has alluded to it in a manner that becomes an American soldier. There sir, we furled our flag with our own hands, still in the possession of the Federal party. If that is their meaning, let them proclaim it in New Jersey, and they will soon find that they lose more than two-thirds of their supporters. If they drive from their ranks the Federalists, as unworthy of association, they will be left with the skeleton of a party. Do they mean that it is an eternal reproach, an indelible mark of disgrace, to have belonged to the Federal party? If that is their meaning, let them proclaim it in New Jersey, and they will soon find that they lose more than two-thirds of their supporters. If they drive from their ranks the Federalists, as unworthy of association, they will be left with the skeleton of a party. Do they mean that it is an eternal reproach, an indelible mark of disgrace, to have belonged to the Federal party?

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box, and shot pouch," and entered the caucus, the
great Whigagamote of the Democracy of Hun-
terdon county. But I did not go "solitary and
alone." Those who had stood side by side with
me in my course during the late war, went with
me. I was there opposed by some who made the
same objection that has been made here. I
did not meet that objection by denial, but
justification. I told them that I had drawn
my Federalism from the principles of the
Revolution, the Constitution of the United States,
and Washington's Farewell Address. The De-

mocrats found that my Federalism and their De-

mocracy did not differ much, and that difference
related to the past, and they honored me with their
confidence. Sir, I have never abused that con-
fidence, and the last pulse which beats in my
bosom will be in gratitude for their favors, and in
devotion to their service.

Sir, I entered the Democratic ranks, not as a
deserter, for I left no party, but as an American citi-

zen should meet his fellows, conscious of the purity
of his own purposes; and I was received and treated
with a confidence equal to that which I had evinced.
It required no sacrifice on either side to cement
our union.

Sir, I never joined any party, but when it was
in a minority, nor have I ever asked of any party
with which I acted as much as they in their bounty
were willing to bestow. I have never deserted
either party or friends; nor, sir, have they been
importuned, distracted, or weakened, to promote
my ambition or interest.

My colleague, with some scorn, speaks of mod-
ern Democracy, and says that he went to bed one
night a Democrat, and rose the next morning a Fe-

deralist. Sir, if such a sudden metamorphose took
place, his democracy must have been composed of
"such stuff as dreams are made of"—"like sha-

dows it came, and like shadows it departed." My
democracy, however modern it may be, neither
came so suddenly, nor will it, I hope, be so evan-

escent. I admit that my democracy is a plant of
slow growth; it neither came up in a night, nor will
it be found withered in the morning. It resulted
from reflection, experience, and the conquest over
error and prejudice; and I hope that, like all plants of
slow growth, it will be the more enduring. I have no
pretensions to that unsubtle Democracy which arises
from hereditary descent. I cannot boast that "I was
born in the purple." Hereditary Democracy sa-

vers rather of Aristocracy, and, like hereditary prop-

erty, is apt to be dissipated. Unfortunately for
me, my father died before the formation of parties
in this country, but he bequeathed to me his Rev-

olutionary feelings and example, his only inheri-
tance.

Mr. President, I do not boast of my consistency.
Since I attained the age of twenty-one, I acknow-
ledge that I have changed my opinion on many
subjects, legal, political, religious, moral, philoso-

phical, and as to men; and if my life is spared, and
my opportunities and the possession of my faculties
are vouchsafed to me, I do not doubt but I may
still change. But, sir, in pure love of my country
and its institutions, in devotion to what my judg-
ment tells me will best promote its interests, in the
love and pursuit of truth, and the attainment of
honorable ends by honorable means, I am not con-
scious of any change.

Whatever my Democracy or my Federalism
may have been, it is now drawn from the principles
of our Revolution and of our Republican institu-
tions, and an adherence to that mode of adminis-
tering the Government which will produce the
greatest good to the greatest number. I draw my
Democratic principles from Washington’s Farewell
Address, from the doctrine of equal rights to
equal privileges, and the protection of these
and privileges, and all other privileges
by the Constitution, by law. Finally, sir, I believe
in a strict construction of the Constitution,
such a construction as will develop and call
rection all its express and implied powers, for the
beneficent purposes of its adoption.

Now, sir, whether this Democracy is from the
school of Federalism or Republicanism, of Wash-

ington or Jefferson, I shall not inquire. It is my
Democracy.

Mr. President, I bow in submission to the voice
of the people of New Jersey, but that voice is not
declared by these resolutions. The Legislature may
command, but they assume an authority not dele-
gated, if they arrogate to themselves the right to
bind the people of New Jersey by uttering their own
voice as the voice of the people. Have the people
changed? for they must have changed, if these re-
solutions declare their voice. In what constitution-
al mode have they evinced that change? I have
not been able to discover it. At the last State
election the friends of the Administration polled
more votes in the disputed counties in that State
than they ever did on any former occasion. Many
of the strongest Democratic counties were divided
by two tickets, both professing the same political
sentiments in favor of the National Administration.

Sir, at the time these resolutions were passed, no
one of the people or the Legislature had seen this
bill which it is pretended is condemned by the voice
of the people of New Jersey. Then, Mr. Presi-
dent, I shall look to the Constitution, and the instruc-
tions of the Legislature of New Jersey, twice san-
tioned, by the people, for my guide. I shall vote for
keeping (as the laws now provide for collecting)
the public treasure by constitutional officers, chosen,
amicable to, and regulated by, the Constitution and
laws, solely for the public use—instead of placing it to be kept in the possession and custody
of bank agents—chosen by banks irresponsible to
the Government or the people—to be used for the
sole and exclusive profit of banks. If I err in this,
my error is in the Constitution, and the remedy is
with the people. I commit myself with unshaken
confidence to their hands, and submit my actions
to their judgment and decision, which with me
will be decisive.