

II. His Attack on Jackson

Henry Clay (1777–1852)

(1834)

Born in 1777, died in 1852; elected to the United States Senate in 1806, and again in 1810; elected to Congress in 1811–21, and again in 1823–25, serving three terms as Speaker; Peace Commissioner at Ghent in 1814; defeated for the Presidency in 1824; Secretary of State in 1825; elected United States Senator in 1831 and again in 1849; defeated for the Presidency in 1832 and in 1844; chief author of the compromises of 1820 and 1850.

NEVER, 1 Mr. President, have I known or read of an administration which expires with so much agony, and so little composure and resignation, as that which now unfortunately has the control of public affairs in this country. It exhibits a state of mind, feverish, fretful, and fidgety, bounding recklessly from one desperate expedient to another, without any sober or settled purpose. Ever since the dog-days of last summer, it has been making a succession of the most extravagant plunges, of which the extraordinary cabinet paper, a sort of appeal from a descending cabinet to the people, was the first; and the protest, a direct appeal from the Senate to the people, is the last and the worst.

A new philosophy has sprung up within a few years past, called phrenology. There is, I believe, something in it, but not quite as much as its ardent followers proclaim. ² According to its doctrines, the leading passion, propensity, and characteristics of every man are developed in his physical conformation, chiefly in the structure of his head. Gall and Spurzheim, its founders, or most eminent propagators, being dead, I regret that neither of them can examine the head of our illustrious chief magistrate. But if it could be surveyed by Doctor Caldwell, of Transylvania University, I am persuaded that he would find the organ of destructiveness prominently developed.

Except an enormous fabric of executive power for himself, the president has built up ³ nothing, constructed nothing, and will leave no enduring monument of his administration. He goes for destruction, universal destruction; and it seems to be his greatest ambition to efface and obliterate every trace of the wisdom of his predecessors. He has displayed this remarkable trait throughout his whole life, whether in private walks or in the public service. He signally and gloriously exhibited that peculiar organ when contending against the enemies of his country, in the Battle of New Orleans. For that brilliant exploit, no one has ever been more ready than myself to award him all due honor. At the head of our armies was his appropriate position, and most unfortunate for his fame was the day when he entered on the career of administration as the chief executive officer. He lives by excitement, perpetual, agitating excitement, and would die in a state of perfect repose and tranquillity. He has never been without some subject of attack, either in individuals, or in masses, or in institutions.

I, myself, have been one of his favorites, and I do not know but that I have recently ⁴ recommended myself to his special regard. During his administration this has been his

constant course. The Indians and Indian policy, internal improvements, the colonial trade, the Supreme Court, Congress, the banks, have successively experienced the attacks of his haughty and imperious spirit. And if he tramples the bank in the dust, my word for it, we shall see him quickly in chase of some new subject of his vengeance. This is the genuine spirit of conquerors and of conquest. It is said by the biographer of Alexander the Great that, after he had completed his Asiatic conquests, he seemed to sigh because there were no more worlds for him to subdue; and, finding himself without further employment for his valor or his arms, he turned within himself to search the means to gratify his insatiable thirst of glory. What sort of conquest he achieved of himself, the same biographer tragically records.

Already has the president singled out and designated, in the Senate of the United States, the new object of his hostile pursuit; and the protest, which I am now to consider, is his declaration of war. What has provoked it? The Senate, a component part of the Congress of the United States, at its last adjournment, left the Treasury of the United States in the safe custody of the persons and places assigned by law to keep it. Upon reassembling, it found the treasure removed; some of its guardians displaced; all, remaining, brought under the immediate control of the president's sole will; and the president having free and unobstructed access to the public money. The Senate believes that the purse of the nation is, by the Constitution and laws, intrusted to the exclusive legislative care of Congress. It has dared to avow and express this opinion, in a resolution adopted on the twenty-eighth of March last. That resolution was preceded by a debate of three months' duration, in the progress of which the able and zealous supporters of the executive in the Senate were attentively heard. Every argument which their ample resources, or those of the members of the executive, could supply was listened to with respect, and duly weighed. After full deliberation, the Senate expressed its conviction that the executive had violated the Constitution and laws. It cautiously refrained in the resolution from all examination into the motives or intention of the executive; it ascribed no bad ones to him; it restricted itself to a simple declaration of its solemn belief that the Constitution and laws had been violated. This is the extent of the offense of the Senate. This is what it has done to excite the executive indignation and to bring upon it the infliction of a denunciatory protest.

But, I would ask, in what tone, temper, and spirit does the president come to the Senate? As a great State culprit who has been arraigned at the bar of justice, or sentenced as guilty? Does he manifest any of those compunctious visitings of conscience which a guilty violator of the Constitution and laws of the land ought to feel? Does he address himself to a high court with the respect, to say nothing of humility, which a person accused or convicted would naturally feel? No, no. He comes as if the Senate were guilty, as if he were in the judgment-seat, and the Senate stood accused before him. He arraigns the Senate; puts it upon trial; condemns it; he comes as if he felt himself elevated far above the Senate, and beyond all reach of the law, surrounded by unapproachable impunity. He who professes to be an innocent and injured man gravely accuses the Senate, and modestly asks it to put upon its own record his sentence of condemnation! When before did the arraigned or convicted party demand of the court which was to try, or had condemned him, to enter upon their records a severe denunciation of their own conduct? The president presents himself before the Senate, not

in the garb of suffering innocence, but in imperial and royal costume—as a dictator, to rebuke a refractory Senate; to command it to record his solemn protest; to chastise it for disobedience.

“[The hearts of princes](#) kiss obedience,
So much they love it; but to stubborn spirits
They swell, and grow as terrible as storms.”

The president exhibits great irritation and impatience at the presumptuousness of a resolution, which, without the imputation of any bad intention or design, ventures to allege that he has violated the Constitution and laws. His constitution and official infallibility must not be questioned. To controvert it is an act of injustice, inhumanity, and calumny. He is treated as a criminal, and, without summons, he is prejudged, condemned, and sentenced. Is the president scrupulously careful of the memory of the dead, or the feelings of the living, in respect to violations of the Constitution? If a violation by him implies criminal guilt, a violation by them can not be innocent and guiltless.

And how has the president treated the memory of the immortal Father of his Country?—that great man, who, for purity of purpose and character, wisdom and moderation, unsullied virtue and unsurpassed patriotism, is without competition in past history or among living men, and whose equal we scarcely dare hope will ever be again presented as a blessing to mankind. How has he been treated by the president? Has he not again and again pronounced that, by approving the bill chartering the first Bank of the United States, Washington violated the Constitution of his country? That violation, according to the president, included volition and design, was prompted by improper motives, and was committed with an unlawful intent. It was the more inexcusable in Washington, because he assisted and presided in the convention which formed the Constitution. If it be unjust to arraign, try unheard, and condemn as guilty, a living man filling an exalted office, with all the splendor, power, and influence which that office possesses, how much more cruel is it to disturb the sacred and venerated ashes of the illustrious dead, who can raise no voice and make no protest against the imputation of high crime!

What has been the treatment of the president toward that other illustrious man, yet spared to us, but who is lingering upon the very verge of eternity? Has he abstained from charging the Father of the Constitution with criminal intent in violating the Constitution? Mr. Madison, like Washington, assisted in the formation of the Constitution; was one of its ablest expounders and advocates; and was opposed, on constitutional ground, to the first Bank of the United States. But yielding to the force of circumstances, and especially to the great principle, that the peace and stability of human society require that a controverted question, which has been finally settled by all the departments of government by long acquiescence, and by the people themselves, should not be open to perpetual dispute and disturbance, he approved the bill chartering the present Bank of the United States. Even the name of James Madison, which is but another for purity, patriotism, profound learning, and enlightened experience, can not escape the imputations of his present successor.

And, lastly, how often has he charged Congress itself with open violations of the

Constitution? Times almost without number. During the present session he has sent in a message, in regard to the land bill, in which he has charged it with an undisguised violation. A violation so palpable that it is not even disguised, and must, therefore, necessarily imply a criminal intent. Sir, the advisers of the president, whoever they are, deceive him and themselves. They have vainly supposed that, by an appeal to the people, and an exhibition of the wounds of the president, they could enlist the sympathies and the commiseration of the people—that the name of Andrew Jackson would bear down the Senate and all opposition. They have yet to learn, what they will soon learn, that even a good and responsible name may be used so frequently, as an indorser, that its credit and the public confidence in its solidity have been seriously impaired. They mistake the intelligence of the people, who are not prepared to see and sanction the president putting forth indiscriminate charges of a violation of the Constitution against whomsoever he pleases, and exhibiting unmeasured rage and indignation when his own infallibility is dared to be questioned.

Note 1. From a speech in the United States Senate, on April 30, 1834. [[back](#)]